

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, MARCH 27, 2007

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JOURNAL OF THE SENATE

SEVENTY-NINTH CALENDAR DAY
FORTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 27, 2007

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

Prayer was offered by Rabbi David Kaufman of the Temple B'Nai Jeshurun in Des Moines. Rabbi Kaufman lives in West Des Moines and is also a West Des Moines police chaplain. He was the guest of Senator Hatch.

The Journal of Monday, March 26, 2007, was approved.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:15 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 9:20 a.m., President Kibbie presiding.

The Senate stood at ease at 9:21 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:40 a.m., President Kibbie presiding.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: [SENATE RESOLUTION 24](#), a resolution honoring Iowan Eugene Ely, a pioneer in Naval aviation.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate Resolution 24](#).

[Senate Resolution 24](#)

On motion of Senator Rielly, [Senate Resolution 24](#), a resolution honoring Iowan Eugene Ely, a pioneer in Naval aviation, with report of committee recommending passage, was taken up for consideration.

Senator Rielly moved the adoption of [Senate Resolution 24](#), which motion prevailed by a voice vote.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 484, 284, and 432.

[Senate File 484](#)

On motion of Senator Fraise, [Senate File 484](#), a bill for an act relating to maximum size and weight requirements for vehicles hauling crops during the annual period of harvest, was taken up for consideration.

Senator Fraise offered amendment [S-3165](#), filed by him on March 26, 2007, to page 1 of the bill, and moved its adoption.

Amendment [S-3165](#) was adopted by a voice vote.

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

On the question “Shall the bill pass?” ([S.F. 484](#)), the vote was:

Yeas, 49:

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

Nays, 1:

Dearden

Absent, none.

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

[Senate File 284](#)

On motion of Senator McKinley, [Senate File 284](#), a bill for an act concerning employees subject to unannounced drug or alcohol testing, was taken up for consideration.

Senator McKinley 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. 284](#)), the vote was:

Yeas, 49:

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

Nays, 1:

Courtney

Absent, none.

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

[Senate File 432](#)

On motion of Senator Appel, [Senate File 432](#), a bill for an act making changes to the conduct of elections and voter registration and including effective and applicability date provisions, was taken up for consideration.

Senator Appel offered amendment [S-3174](#), filed by her from the floor to the title page of the bill, and moved its adoption.

Amendment [S-3174](#) was adopted by a voice vote.

Senator Appel asked and received unanimous consent that [House File 848](#) be **substituted** for [Senate File 432](#).

[House File 848](#)

On motion of Senator Appel, [House File 848](#), a bill for an act making changes to the conduct of elections and voter registration and

including effective and applicability date provisions, was taken up for consideration.

Senator Putney asked and received unanimous consent that action on [House File 848](#) be **deferred**.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 284 and 484** 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 369, 416, 401, and 411.

[Senate File 369](#)

On motion of Senator Connolly, [Senate File 369](#), a bill for an act relating to voting machines and optical scan voting systems, was taken up for consideration.

Senator Connolly offered amendment [S-3159](#), filed by him on March 26, 2007, to pages 2, 6, and 7 of the bill, and moved its adoption.

Amendment [S-3159](#) 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. 369](#)), the vote was:

Yeas, 45:

Appel	Gaskill	McCoy	Seng
Beall	Gronstal	McKibben	Seymour
Black	Hancock	McKinley	Stewart
Boettger	Hartsuch	Mulder	Ward
Bolkcom	Hatch	Noble	Warnstadt
Connolly	Heckroth	Olive	Wieck

Courtney	Hogg	Putney	Wood
Danielson	Horn	Quirnbach	Zaun
Dearden	Johnson	Ragan	Zieman
Dotzler	Kettering	Rielly	
Dvorsky	Kibbie	Schmitz	
Fraise	Kreiman	Schoenjahn	

Nays, 5:

Angelo	Hahn	Lundby
Behn	Houser	

Absent, none.

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

[Senate File 416](#)

On motion of Senator Quirnbach, [Senate File 416](#), a bill for an act relating to city elections by providing procedures for filling a city council vacancy by special election and by providing satellite absentee voting at certain city elections, was taken up for consideration.

Senator Quirnbach offered amendment [S-3178](#), filed by him from the floor to pages 1 and 2 of the bill, and moved its adoption.

Amendment [S-3178](#) was adopted by a voice vote.

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

On the question “Shall the bill pass?” ([S.F. 416](#)), 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
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 401](#).

[Senate File 401](#)

On motion of Senator Rielly, [Senate File 401](#), a bill for an act relating to administration of regional transportation by regional transit districts and of highways and regulation of motor vehicles by the state department of transportation, including provisions relating to qualifications of property appraisers, state standards for land surveying, destruction of suspended or revoked driver's licenses, requirements for a temporary restricted driver's license, registration and titling of vehicles, legion of merit special registration plates and fees, antique motor vehicle registration plates and fees, licensing of motor vehicle dealers, motor carrier registration and fuel tax liability, the maximum length limitation for single trucks, and disposition of regional transit district tax revenues collected by a county treasurer, and providing effective dates, was taken up for consideration.

Senator Rielly offered amendment [S-3155](#), filed by him on March 26, 2007, to pages 1, 7, 14, and 15 and to the title page of the bill, and moved its adoption.

Amendment [S-3155](#) was adopted by a voice vote.

Senator Rielly asked and received unanimous consent that [House File 793](#) be **substituted** for [Senate File 401](#).

House File 793

On motion of Senator Rielly, House File 793, a bill for an act relating to administration of regional transportation by regional transit districts and of highways and regulation of motor vehicles by the state department of transportation, including provisions relating to qualifications of property appraisers, state standards for land surveying, destruction of suspended or revoked driver's licenses, requirements for a temporary restricted driver's license, registration and titling of vehicles, legion of merit special registration plates and fees, antique motor vehicle registration plates and fees, licensing of motor vehicle dealers, motor carrier registration and fuel tax liability, the maximum length limitation for single trucks, and disposition of regional transit district tax revenues collected by a county treasurer, and providing effective dates, was taken up for consideration.

Senator Behn asked and received unanimous consent that action on House File 793 be **deferred**.

President Pro Tempore Danielson took the chair at 11:31 a.m.

Senate File 411

On motion of Senator Kibbie, Senate File 411, a bill for an act relating to membership on election boards, was taken up for consideration.

Senator Kibbie 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. 411), 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 369, 411, and 416** 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 352, 559, and [House File 468](#).

[Senate File 352](#)

On motion of Senator Appel, [Senate File 352](#), a bill for an act allowing a voter to register to vote and to vote after regular registration and prior to voting in an election, was taken up for consideration.

Senator Appel offered amendment [S-3153](#), filed by her on March 26, 2007, to pages 1, 2, and 4 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3153](#) be adopted?” ([S.F. 352](#)), the vote was:

Yeas, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart

Connolly	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.

Amendment [S-3153](#) was adopted.

Senator Appel asked and received unanimous consent that [House File 653](#) be **substituted** for [Senate File 352](#).

[House File 653](#)

On motion of Senator Appel, [House File 653](#), a bill for an act allowing a voter to register to vote and to vote after regular registration and prior to voting in an election, was taken up for consideration.

Senator Lundby asked and received unanimous consent that action on [House File 653](#) be **deferred**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hatch, until he returns, on request of Senator Dotzler.

[Senate File 559](#)

On motion of Senator Schoenjahn, [Senate File 559](#), a bill for an act relating to cemetery and funeral merchandise, funeral services, and cemeteries and providing fees and penalties, was taken up for consideration.

Senator Schoenjahn offered amendment [S-3160](#), filed by him on March 26, 2007, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment [S-3160](#) was adopted by a voice vote.

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

Yeas, 49:

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

Nays, none.

Absent, 1:

Hatch

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

[House File 468](#)

On motion of Senator Wood, [House File 468](#), a bill for an act requiring a study by the department of education relating to implementation of a statewide student information system, with report of committee recommending passage, was taken up for consideration.

Senator Wood 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. 468](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Hatch

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 559](#) and [House File 468](#) be **immediately messaged** to the House.

BUSINESS PENDING

[House File 848](#)

The Senate resumed consideration of [House File 848](#), a bill for an act relating to the conduct of elections and voter registration and including effective and applicability date provisions, previously deferred.

The Senate stood at ease at 12:10 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 12:38 p.m., President Pro Tempore Danielson presiding.

QUORUM CALL

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

The vote revealed 36 present, 14 absent, and a quorum present.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Dearden and Horn, until they return, on request of Senator Gronstal.

Senator Putney offered amendment [S-3181](#), filed by him from the floor to page 6 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3181](#) be adopted?” ([H.F. 848](#)), the vote was:

Yeas, 20:

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

Nays, 27:

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

Absent, 3:

Dearden Hatch Horn

Amendment [S-3181](#) lost.

Senator Appel 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. 848](#)), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

Dearden Hatch Horn

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

WITHDRAWN

Senator Appel asked and received unanimous consent that [Senate File 432](#) be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 317](#) and [Senate File 430](#).

House File 317

On motion of Senator Heckroth, [House File 317](#), a bill for an act relating to an on-site fiscal review to be conducted under phase II of the accreditation process upon recommendation by the school budget review committee, was taken up for consideration.

Senator Heckroth 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. 317](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Dearden Horn

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

Senate File 430

On motion of Senator Kreiman, [Senate File 430](#), a bill for an act relating to a civil judgment, decree, or order of a court of a federally recognized Indian tribe and including an applicability provision, was taken up for consideration.

Senator Kreiman offered amendment [S-3185](#), filed by him from the floor striking and replacing everything after the enacting clause of the bill.

Senator Kreiman asked and received unanimous consent that action on amendment [S-3185](#) be deferred.

Senator Putney withdrew amendment [S-3184](#), filed by him from the floor to page 1 and to the title page of the bill.

The Senate resumed consideration of amendment [S-3185](#), previously deferred.

Senator McKibben asked and received unanimous consent that action on amendment [S-3185](#) and [Senate File 430](#) be **deferred**.

The Senate stood at ease at 1:30 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 1:58 p.m., Senator Dvorsky presiding.

RECESS

On motion of Senator Gronstal, the Senate recessed at 1:59 p.m. until 3:00 p.m.

RECONVENED

The Senate reconvened at 3:07 p.m., President Kibbie presiding.

The Senate stood at ease at 3:08 p.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 3:50 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 27, 2007, **passed** the following bill in which the concurrence of the House was asked:

[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.

ALSO: That the House has on March 27, 2007, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 559](#), a bill for an act relating to the midwest interstate passenger rail compact and providing an effective date.

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

[House File 765](#), a bill for an act relating to animal feeding operations, by providing for the enforcement of regulatory provisions.

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

[House File 826](#), a bill for an act establishing an Iowa Abraham Lincoln bicentennial commission and fund and providing for its prospective repeal.

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

[House File 759](#), a bill for an act specifying the functions of the Clarinda correctional facility.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 317 and 848** be **immediately messaged** to the House.

BUSINESS PENDING

The Senate resumed consideration of amendment [S-3185](#) to [Senate File 430](#), previously deferred.

Senator McKibben asked and received unanimous consent that action on amendment [S-3185](#) and [Senate File 430](#) be **deferred**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Zaun, until he returns, on request of Senator McKinley.

BUSINESS PENDING

[House File 653](#)

The Senate resumed consideration of [House File 653](#), a bill for an act allowing a voter to register to vote and to vote after regular registration and prior to voting in an election and making a penalty applicable and providing an applicability date, previously deferred.

Senator Zieman offered amendment [S-3192](#), filed by Senator Zieman, et al., from the floor to pages 1, 3, and 4 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3192](#) be adopted?” ([H.F. 653](#)), the vote was:

Yeas, 19:

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

Nays, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt

Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Absent, 1:

Zaun

Amendment [S-3192](#) lost.

Senator Zieman offered amendment [S-3187](#), filed by Senator Zieman, et al., from the floor to page 3 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3187](#) be adopted?” ([H.F. 653](#)), the vote was:

Yeas, 19:

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

Nays, 30:

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

Absent, 1:

Zaun

Amendment [S-3187](#) lost.

Senator Zieman offered amendment [S-3189](#), filed by Senator Zieman, et al., from the floor to page 4 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3189](#) be adopted?” ([H.F. 653](#)), the vote was:

Yeas, 20:

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

Nays, 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	

Absent, none.

Amendment [S-3189](#) lost.

Senator Zieman offered amendment [S-3191](#), filed by Senator Zieman, et al., from the floor to pages 4–6 and to the title page of the bill.

Senator Appel raised the point of order that amendment [S-3191](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-3191](#) out of order.

Senator Zieman offered amendment [S-3188](#), filed by Senator Zieman, et al., from the floor to pages 4 and 5 of the bill.

Senator Zieman asked and received unanimous consent that action on amendment [S-3188](#) be deferred.

Senator Zieman offered amendment [S-3190](#), filed by Senator Zieman, et al., from the floor to page 6 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3190](#) be adopted?” ([H.F. 653](#)), the vote was:

Yeas, 20:

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

Nays, 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	

Absent, none.

Amendment [S-3190](#) lost.

The Senate resumed consideration of amendment [S-3188](#), previously deferred.

Senator Zieman moved the adoption of amendment [S-3188](#), which motion prevailed by a voice vote.

Amendment [S-3188](#) lost by a voice vote.

Senator Appel 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. 653](#)), the vote was:

Yeas, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	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.

WITHDRAWN

Senator Appel asked and received unanimous consent that [Senate File 352](#) be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [House File 653](#) be **immediately messaged** to the House.

BUSINESS PENDING

[Senate File 430](#)

The Senate resumed consideration of [Senate File 430](#), a bill for an act relating to a civil judgment, decree, or order of a court of a federally recognized Indian tribe and including an applicability provision, previously deferred.

The Senate resumed consideration of amendment [S-3185](#), previously deferred.

Senator McKibben offered amendment [S-3194](#), filed by Senators McKibben, Ward, and Putney from the floor to pages 1–3 of amendment [S-3185](#), and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3194](#) be adopted?” ([S.F. 430](#)), Rule 23, requiring all Senators present to vote except those that express a conflict of interest, was invoked.

The vote was:

Yeas, 23:

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

Nays, 26:

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

Absent, 1:

McCoy

Amendment [S-3194](#) lost.

The Senate resumed consideration of amendment [S-3185](#), previously deferred.

Senator McKibben asked and received unanimous consent that action on amendment [S-3185](#) and [Senate File 430](#) be **deferred**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 5:48 p.m. until 8:00 a.m., Wednesday, March 28, 2007.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Coach Tom Bardal and the Waverly–Shell Rock High School Class 3A Boys' 2007 State Championship Basketball Team. Senator Heckroth (3/27/07).

Jenna Caffrey—For breaking the Iowa State University record in the shuttle hurdle relay and for qualifying for the 100 meter hurdles. Senator Courtney (3/27/07).

Kristin M. Crawford, Monticello—For being named a National Honor Student Award winner. Senator Hancock (3/27/07).

Elaine Crouse—For being named AEA 267 Outstanding Paraeducator of the Year. Senator McKibben (3/27/07).

Louis and Shirley Curoe—For celebrating their 50th wedding anniversary. Senator Hancock (3/27/07).

Bill and Ann Hummel—For celebrating their 50th wedding anniversary. Senator Courtney (3/27/07).

John and Juanita Johnson—For celebrating their 60th wedding anniversary. Senator Courtney (3/27/07).

Julia Mulder—For celebrating her 100th birthday. Senator Mulder (3/27/07).

Herbert and Eleanor Murphy—For celebrating their 60th wedding anniversary. Senator Courtney (3/27/07).

Al and Virginia Nellor—For celebrating their 60th wedding anniversary. Senator Courtney (3/27/07).

St. John's Catholic School, Independence—For receiving the United States flag flown at the U.S. Capitol on July 4, 2006, and their work in honoring 1969 Vietnam Veterans. Senator Schoenjahn (3/27/07).

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Tuesday, March 27, 2007, 2:10 p.m.

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

Members Absent: None.

Committee Business: Approved Governor's appointments.

Adjourned: 3:10 p.m.

LABOR AND BUSINESS RELATIONS

Convened: Tuesday, March 27, 2007, 2:00 p.m.

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

Members Absent: None.

Committee Business: Approved Governor's appointments.

Adjourned: 2:10 p.m.

RULES AND ADMINISTRATION

Convened: Tuesday, March 27, 2007, 9:20 a.m.

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

Members Absent: None.

Committee Business: Approved [SJ 4](#) and [SR 24](#).

Adjourned: 9:25 a.m.

INTRODUCTION OF RESOLUTIONS

[Senate Resolution 27](#), by Hahn, a resolution honoring the city of Lowden on its sesquicentennial.

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

[Senate Resolution 28](#), by Gronstal and Lundby, a resolution to thank the men and women who worked so long and so hard to restore electricity to Iowans throughout the state.

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

STUDY BILLS RECEIVED

[SSB 1343](#) **Ways and Means**

Relating to a sales tax exemption for the operation of nonprofit private performing arts centers, allowing a sales tax refund for construction of such centers, and including a retroactive applicability date.

[SSB 1344](#) **Ways and Means**

Relating to the providing of income tax, premium tax, and moneys and credits tax credits for employers paying part of their employees' student loans and including a retroactive applicability date provision.

[SSB 1345](#) **Appropriations**

Relating to the compensation and benefits for public officials and employees, providing for related matters, and making appropriations.

[SSB 1346](#) **Government Oversight**

Relating to administration of provisions involving violations of the state's noncompetition by government law.

SUBCOMMITTEE ASSIGNMENTS

[Senate File 251](#)

APPROPRIATIONS: Ragan, Chair; Dvorsky and Johnson

[Senate File 252](#)

APPROPRIATIONS: Ragan, Chair; Dvorsky and Seymour

[Senate File 259](#)

APPROPRIATIONS: Hatch, Chair; Boettger and Ragan

[Senate File 282](#)

(Reassigned)

APPROPRIATIONS: Ragan, Chair; Boettger and Dvorsky

[Senate File 309](#)

APPROPRIATIONS: Dvorsky, Chair; Angelo, Black, Bolkcom, and Gaskill

[Senate File 324](#)

APPROPRIATIONS: Danielson, Chair; Dotzler and Gaskill

[Senate File 353](#)

APPROPRIATIONS: Dvorsky, Chair; McCoy and Putney

[Senate File 359](#)

APPROPRIATIONS: Ragan, Chair; Dvorsky and Johnson

[Senate File 367](#)

APPROPRIATIONS: Hatch, Chair; Dvorsky, Johnson, Seymour, and Warnstadt

[Senate File 409](#)

APPROPRIATIONS: Dotzler, Chair; Dvorsky and Hahn

[Senate File 425](#)

APPROPRIATIONS: Connolly, Chair; Boettger and Wood

[Senate File 433](#)

APPROPRIATIONS: Warnstadt, Chair; Behn and Danielson

[Senate File 452](#)

APPROPRIATIONS: Fraise, Chair; Boettger and Seng

[Senate File 453](#)

APPROPRIATIONS: Warnstadt, Chair; Danielson and Seymour

[Senate File 494](#)

APPROPRIATIONS: Bolkcom, Chair; Behn and Hogg

[Senate File 498](#)

APPROPRIATIONS: Ragan, Chair; Hatch and Johnson

[Senate File 500](#)

APPROPRIATIONS: Dotzler, Chair; Boettger, Hancock, Hogg, and Johnson

[Senate File 542](#)

APPROPRIATIONS: Bolkcom, Chair; Gaskill and Hogg

[Senate File 560](#)

APPROPRIATIONS: Dotzler, Chair; Boettger and Dvorsky

[House File 397](#)

APPROPRIATIONS: Ragan, Chair; Dvorsky and Seymour

[House File 413](#)

STATE GOVERNMENT: Schmitz, Chair; Wood and Zieman

[House File 580](#)

STATE GOVERNMENT: Schmitz, Chair; Wood and Zieman

[House File 752](#)

APPROPRIATIONS: McCoy, Chair; Putney and Warnstadt

[House File 759](#)

JUDICIARY: Hancock, Chair; Behn and Fraise

[House File 765](#)

AGRICULTURE: Black, Chair; Houser and Olive

[House File 787](#)

APPROPRIATIONS: Ragan, Chair; Dvorsky and Kettering

[House File 826](#)

HUMAN RESOURCES: Wood, Chair; Boettger and Hatch

[House File 836](#)

AGRICULTURE: Courtney, Chair; Hancock and Putney

[House File 844](#)

STATE GOVERNMENT: Wood, Chair; Schmitz and Zieman

[House File 846](#)

AGRICULTURE: Appel, Chair; Johnson and Seng

[House File 851](#)

STATE GOVERNMENT: Wood, Chair; Behn and Schmitz

[SSB 1343](#)

WAYS AND MEANS: Schmitz, Chair; Seng and Ward

[SSB 1344](#)

WAYS AND MEANS: Quirmbach, Chair; Connolly and Noble

[SSB 1345](#)

APPROPRIATIONS: Dvorsky, Chair; Angelo, Danielson, Gaskill, and Ragan

[SSB 1346](#)

GOVERNMENT OVERSIGHT: Lundby, Chair; Connolly, Courtney, Schmitz, and Wieck

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: [SENATE JOINT RESOLUTION 4](#), a joint resolution authorizing the temporary use and consumption of wine in the State Capitol, and the temporary display of ceremonial banners, in conjunction with the awards ceremony of the World Food Prize Foundation.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

<u>S-3174</u>	<u>S.F. 432</u>	Staci Appel
<u>S-3175</u>	<u>S.F. 412</u>	John P. Kibbie
<u>S-3176</u>	<u>S.F. 564</u>	Joe M. Seng
<u>S-3177</u>	<u>S.F. 522</u>	Brian Schoenjahn
<u>S-3178</u>	<u>S.F. 416</u>	Herman C. Quirmbach

<u>S-3179</u>	<u>S.F. 449</u>	Michael Connolly
<u>S-3180</u>	<u>S.F. 544</u>	Robert M. Hogg
<u>S-3181</u>	<u>H.F. 848</u>	John Putney
<u>S-3182</u>	<u>H.F. 793</u>	Jerry Behn
<u>S-3183</u>	<u>H.F. 793</u>	Thomas G. Courtney
<u>S-3184</u>	<u>S.F. 430</u>	John Putney
<u>S-3185</u>	<u>S.F. 430</u>	Keith A. Kreiman
<u>S-3186</u>	<u>H.F. 793</u>	Jerry Behn
<u>S-3187</u>	<u>H.F. 653</u>	Mark Zieman
		Ron Wieck
		David L. Hartsuch
		John Putney
		Jerry Behn
		Dave Mulder
		Nancy J. Boettger
		Paul McKinley
		David Johnson
		Brad Zaun
		James A. Seymour
		E. Thurman Gaskill
		Pat Ward
		Larry McKibben
		Jeff Angelo
		James F. Hahn
		Steve Kettering
		Mark Zieman
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		James A. Seymour
		E. Thurman Gaskill
		Pat Ward
		Larry McKibben
		Jeff Angelo
		Steve Kettering
<u>S-3188</u>	<u>H.F. 653</u>	

S-3189H.F. 653

James F. Hahn
 Mary A. Lundby
 Mark Zieman
 David L. Hartsuch
 John Putney
 Jerry Behn
 Ron Wieck
 Larry Noble
 Dave Mulder
 Larry McKibben
 Nancy J. Boettger
 Paul McKinley
 David Johnson
 Brad Zaun
 James A. Seymour
 E. Thurman Gaskill
 Pat Ward

S-3190H.F. 653

James F. Hahn
 Steve Kettering
 Jeff Angelo
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 Mark Zieman
 Larry Noble
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 Pat Ward

S-3191H.F. 653

Mary A. Lundby
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 Larry McKibben
 James F. Hahn
 Steve Kettering
 Mary A. Lundby
 Jeff Angelo
 Becky Schmitz
 Larry McKibben
 Pat Ward
 John Putney
 Keith A. Kreiman
 Jerry Behn
 Eugene S. Fraise
 Eugene S. Fraise
 Jerry Behn

S-3192

H.F. 653

S-3193

S.F. 382

S-3194

S.F. 430

S-3195

S.F. 509

S-3196

H.F. 793

S-3197

H.F. 793