

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, APRIL 10, 2007

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JOURNAL OF THE SENATE

NINETY-THIRD CALENDAR DAY
FIFTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 10, 2007

The Senate met in regular session at 8:47 a.m., President Kibbie presiding.

Prayer was offered by Father Walter Helms of St. Thomas More Catholic Church in Iowa City, Iowa. He was the guest of Senator Dvorsky.

The Journal of Monday, April 9, 2007, was approved.

The Senate stood at ease at 8:55 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 11:00 a.m., President Kibbie presiding.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 59, Senator Gronstal called up the following eligible appointees on the En Bloc Confirmation Calendar:

John White – Iowa Empowerment Board

Carl Smith – Mental Health, Mental Retardation, Developmental Disabilities, and Brain Injury Commission

Clyde Bradley – Board of Nursing Examiners

Margaret Beaty – State Board of Examiners for Nursing Home Administrators

Scott Lindgren – Prevention of Disabilities Policy Council

Rosetta Waychus – Commission of Veterans Affairs

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

On the question “Shall the appointees be confirmed?” 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 appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

REFERRAL TO EN BLOC CONFIRMATION CALENDAR

Senator Gronstal asked and received unanimous consent that the following names be removed from the “Individual Confirmation Calendar” and placed on the “En Bloc Confirmation Calendar”:

Richard Leopold – Director of the Department of Natural Resources

Gregory Seyfer – State Racing and Gaming Commission

Kathleen Koenig – State Board of Tax Review

John P. Gillispie – Executive Director of the Iowa
Telecommunications and Technology Commission

Curtis W. Stamp – Utilities Board
Krista Tanner – Utilities Board

John Norris – Chair of the Utilities Board

Tom Colvin – Iowa Board of Veterinary Medicine

Fred Diehl – Vision Iowa Board

Terry Lutz – Vision Iowa Board

Marilyn Monroe – Vision Iowa Board

Roger Grobstich – Iowa Workforce Development Board

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 59, Senator Gronstal called up the following eligible appointees on the En Bloc Confirmation Calendar:

Richard Leopold – Director of the Department of Natural Resources

Gregory Seyfer – State Racing and Gaming Commission

Kathleen Koenig – State Board of Tax Review

John P. Gillispie – Executive Director of the Iowa
Telecommunications and Technology Commission

Curtis W. Stamp – Utilities Board

Krista Tanner – Utilities Board

John Norris – Chair of the Utilities Board

Tom Colvin – Iowa Board of Veterinary Medicine

Fred Diehl – Vision Iowa Board

Terry Lutz – Vision Iowa Board

Marilyn Monroe – Vision Iowa Board

Roger Grobstich – Iowa Workforce Development Board

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

On the question “Shall the appointees be confirmed?” 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 appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 846, 826, 774, 765.

[House File 846](#)

On motion of Senator Appel, [House File 846](#), a bill for an act providing for an Iowa farmers’ market nutrition program, with report of committee recommending passage, was taken up for consideration.

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. 846](#)), 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.

House File 826

On motion of Senator Wood, House File 826, a bill for an act establishing an Iowa Abraham Lincoln bicentennial commission and fund and providing for its prospective repeal, 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. 826), 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.

House File 774

On motion of Senator Fraise, House File 774, a bill for an act relating to mechanics' liens, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 774), 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.

House File 765

On motion of Senator Black, House File 765, a bill for an act relating to animal feeding operations, by providing for the enforcement of regulatory provisions, with report of committee recommending passage, 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?" (H.F. 765), 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 **House Files 765, 774, 826, and 846** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 611, 585, 566, and 559.

House File 611

On motion of Senator Bolkcom, House File 611, a bill for an act relating to human growth and development and health education under the educational standards, requiring school districts to provide curricular information to agencies and organizations upon request, and providing related duties for the director of the department of education, with report of committee recommending passage, was taken up for consideration.

Senator Boettger asked and received unanimous consent that action on House File 611 be **deferred**.

House File 585

On motion of Senator Bolkcom, House File 585, a bill for an act relating to the selection of board members by area agencies on aging, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 585), 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.

[House File 566](#)

On motion of Senator Quirmbach, [House File 566](#), a bill for an act relating to the definition of a free clinic for the purposes of the volunteer health care provider program, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Quirmbach offered amendment [S-3273](#), filed by the committee on Human Resources on April 3, 2007, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment [S-3273](#) was adopted by a voice vote.

Senator Quirmbach 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. 566](#)), 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, as amended, was agreed to.

[House File 559](#)

On motion of Senator Beall, [House File 559](#), a bill for an act relating to the midwest interstate passenger rail compact and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Beall 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. 559](#)), 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 **House Files 559, 566, and 585** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 10, 2007, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 41](#), a bill for an act relating to the disposition of unclaimed property concerning minerals.

[Senate File 42](#), a bill for an act relating to campaign finance by revising the requirements for filing reports and for the use of certain resources for political purposes.

[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.

RECESS

On motion of Senator Gronstal, the Senate recessed at 11:50 a.m. until 3:15 p.m.

APPENDIX—1

CERTIFICATES OF RECOGNITION

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

Kaylyn Barrett—For her award-winning 2007 Write Women Back Into History essay. Senator Appel (4/10/07).

Kylene Carlson—For her award-winning 2007 Write Women Back Into History essay. Senator Ward (4/10/07).

Erica Christensen—For her award-winning 2007 Write Women Back Into History essay. Senator Appel (4/10/07).

Cleaning Up Burlington Project—For being a recipient of 2007 Keep Iowa Beautiful Funds. Senator Courtney (4/10/07).

Laurel Fraser—For her award-winning 2007 Write Women Back Into History essay. Senator Appel (4/10/07).

George and Frances Green—For celebrating their 50th wedding anniversary. Senator Courtney (4/10/07).

Donald and Martha Hancock, Burlington—For celebrating their 50th wedding anniversary. Senator Courtney (4/10/07).

Katie Jobses—For her award-winning 2007 Write Women Back Into History essay. Senator Ward (4/10/07).

Larry Kress, Waterloo—For celebrating his 75th birthday. Senator Dotzler (4/10/07).

Matthew Lee—For his award-winning 2007 Write Women Back Into History essay. Senator Appel (4/10/07).

Thelma Long, Waterloo—For celebrating her 90th birthday. Senator Dotzler (4/10/07).

Willie Baker McNeal, Waterloo—For celebrating her 94th birthday. Senator Dotzler (4/10/07).

Partners for Conservation, Burlington—For being a recipient of 2007 Keep Iowa Beautiful Funds. Senator Courtney (4/10/07).

Pioneer United Methodist Church, Rock Valley—For celebrating its 125th anniversary. Senator Mulder (4/10/07).

Emily Raecker—For her award-winning 2007 Write Women Back Into History essay. Senator Ward (4/10/07).

Bobi Jo Rockwell—For her award-winning 2007 Write Women Back Into History essay. Senator Ward (4/10/07).

Taylor Soeken—For her award-winning 2007 Write Women Back Into History essay. Senator Ward (4/10/07).

Sharon Wellendorf—For her outstanding service to the people of Iowa in reducing tobacco use. Senator Quirnbach (4/10/07).

Joe and Lois Wiegand—For celebrating their 60th wedding anniversary. Senator Courtney (4/10/07).

Eddis and Roberta Winstead, Elk Run Heights—For celebrating their 50th wedding anniversary. Senator Dotzler (4/10/07).

REPORT OF COMMITTEE MEETING

COMMERCE

Convened: Tuesday, April 10, 2007, 1:00 p.m.

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

Members Absent: McCoy, McKibben, Rielly, and Ward (all excused).

Committee Business: Presentation by Insurance Commissioner Susan Voss.

Adjourned: 1:25 p.m.

AFTERNOON SESSION

The Senate reconvened at 3:41 p.m., President Kibbie presiding.

RECESS

On motion of Senator Gronstal, the Senate recessed at 3:42 p.m. until the completion of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 3:45 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 April 10, 2007, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 137](#), a bill for an act providing for the registration of associate real estate appraisers, prohibiting improper influence over an appraiser's evaluation opinion, and imposing a penalty.

[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.

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

[Senate File 351](#), a bill for an act requiring a political committee expressly advocating the passage or defeat of a ballot issue to file five disclosure reports in an election year.

ALSO: That the House has on April 10, 2007, **passed** the following bill in which the concurrence of the Senate is asked:

[House File 892](#), a bill for an act creating a film, television, and video project promotion program, providing tax credits and income exclusions, and including effective and retroactive applicability dates.

Read first time and referred to committee on **Ways and Means**.

The Senate stood at ease at 3:50 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 4:46 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 April 10, 2007, **passed** the following bills in the which the concurrence of the House was asked:

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

[Senate File 354](#), a bill for an act relating to certain overpayments of moneys to a county.

[Senate File 444](#), a bill for an act relating to councils of governments by making technical changes and by designating a new council of governments area.

[Senate File 448](#), a bill for an act relating to confidential information regarding unemployment insurance benefits and providing penalties.

[Senate File 477](#), a bill for an act authorizing the issuance of additional special nonresident deer hunting licenses.

[Senate File 479](#), a bill for an act making changes to the time frames and the duties of the legislative services agency concerning the process of congressional and legislative redistricting.

[Senate File 529](#), 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.

ALSO: That the House has on April 10, 2007, **amended and passed** the following bills in which the concurrence of the House was asked:

[Senate File 155](#), a bill for an act relating to local governments by creating a local government innovation commission and fund, creating a center for governing excellence, and including an effective date. ([S-3315](#))

[Senate File 265](#), a bill for an act relating to asbestos removal and encapsulation regulations as enforced by the labor commissioner. ([S-3314](#))

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Angelo, until he returns, on request of Senator Lundby; and Senator McCoy, until he returns, on request of Senator Courtney.

BUSINESS PENDING

[House File 611](#)

The Senate resumed consideration of [House File 611](#), a bill for an act relating to human growth and development and health education under the educational standards, requiring school districts to provide curricular information to agencies and organizations upon request, and providing related duties for the director of the department of education, previously deferred.

Senator Boettger offered amendment [S-3312](#), filed by Senator Boettger, 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-3312](#) be adopted?” ([H.F. 611](#)), the vote was:

Yeas, 19:

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

Nays, 29:

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

Absent, 2:

Angelo	McCoy
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Amendment [S-3312](#) lost.

Senator Boettger offered amendment [S-3311](#), filed by Senator Boettger, et al., from the floor to page 5 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3311](#) be adopted?” ([H.F. 611](#)), the vote was:

Yeas, 18:

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

Nays, 31:

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

Absent, 1:

Angelo

Amendment [S-3311](#) lost.

Senator Zaun offered amendment [S-3313](#), filed by Senator Zaun, et al., from the floor to page 5 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3313](#) be adopted?” ([H.F. 611](#)), the vote was:

Yeas, 23:

Behn	Houser	Mulder	Ward
Boettger	Johnson	Noble	Wieck
Gaskill	Kettering	Putney	Wood
Hahn	Lundby	Rielly	Zaun
Hancock	McKibben	Seng	Zieman
Hartsuch	McKinley	Seymour	

Nays, 26:

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

Absent, 1:

Angelo

Amendment [S-3313](#) lost.

Senator McKinley offered amendment [S-3309](#), filed by Senator McKinley, et al., from the floor to page 5 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3309](#) be adopted?” ([H.F. 611](#)), the vote was:

Yeas, 19:

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

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:

Angelo

Amendment [S-3309](#) lost.

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

On the question “Shall the bill pass?” ([H.F. 611](#)), the vote was:

Yeas, 30:

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

Courtney
Danielson
Dearden

Hatch
Heckroth
Hogg

Quirmbach
Ragan
Rielly

Wood

Nays, 19:

Behn
Boettger
Hahn
Hancock
Hartsuch

Houser
Johnson
Kettering
Lundby
McKibben

McKinley
Mulder
Noble
Putney
Seymour

Ward
Wieck
Zaun
Zieman

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 [House File 611](#) be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 528, 413, and 353.

[House File 528](#)

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

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

On the question “Shall the bill pass?” ([H.F. 528](#)), 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.

[House File 413](#)

On motion of Senator Schmitz, [House File 413](#), a bill for an act relating to electronic filing of campaign finance organizational statements, dissolution reports, and disclosure reports by candidates for statewide office or for the general assembly, establishing a filing deadline for all statements and reports, providing a penalty, and providing applicability dates, with report of committee recommending passage, was taken up for consideration.

Senator Schmitz 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. 413](#)), the vote was:

Yeas, 39:

Appel	Fraise	Lundby	Schmitz
Beall	Gaskill	McCoy	Schoenjahn

Black	Gronstal	McKibben	Seng
Bolkcom	Hancock	Mulder	Seymour
Connolly	Hatch	Noble	Stewart
Courtney	Heckroth	Olive	Ward
Danielson	Hogg	Putney	Warnstadt
Dearden	Horn	Quirmbach	Wieck
Dotzler	Kibbie	Ragan	Wood
Dvorsky	Kreiman	Rielly	

Nays, 10:

Behn	Hartsuch	Kettering	Zieman
Boettger	Houser	McKinley	
Hahn	Johnson	Zaun	

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 [House File 353](#).

[House File 353](#)

On motion of Senator Hancock, [House File 353](#), a bill for an act relating to public safety communications by establishing an Iowa statewide interoperable communications system board, with report of committee recommending passage, 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?” ([H.F. 353](#)), 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.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 353, 413, and 528** be **immediately messaged** to the House.

The Senate stood at ease at 6:57 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 7:15 p.m., President Kibbie presiding.

REFERRAL TO EN BLOC CONFIRMATION CALENDAR

Senator Gronstal asked and received unanimous consent that the following names be removed from the “Individual Confirmation Calendar” and placed on the “En Bloc Confirmation Calendar”:

Judy Jeffrey – Board of Educational Examiners

John McCalley – Director of the Department of Elder Affairs

Susan Heathcote – Environmental Protection Commission

Charlotte Hubbell – Environmental Protection Commission

Ralph Klemme – Environmental Protection Commission

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 59, Senator Gronstal called up the following eligible appointees on the En Bloc Confirmation Calendar:

Judy Jeffrey – Board of Educational Examiners

John McCalley – Director of the Department of Elder Affairs

Susan Heathcote – Environmental Protection Commission

Charlotte Hubbell – Environmental Protection Commission

Ralph Klemme – Environmental Protection Commission

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

On the question “Shall the appointees be confirmed?” 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 appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

CONFIRMATION OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Gronstal called up the appointment of Eugene Meyer, as Commissioner of Public Safety, placed on the Individual Confirmation Calendar on March 28, 2007, and found on page 965 of the Senate Journal.

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

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

Yeas, 31:

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

Nays, 18:

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

Absent, 1:

Angelo

The appointee, having failed to receive a two-thirds vote, was declared to have been **refused confirmation** by the Senate.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 7:30 p.m. until 8:45 a.m., Thursday, April 11, 2007.

APPENDIX—2

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which the confirmation of Eugene Meyer failed to be approved by the Senate on April 10, 2007.

MICHAEL E. GRONSTAL

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: Tuesday, April 10, 2007, 2:10 p.m.

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

Members Absent: Hatch and Putney (both excused).

Committee Business: Passed HF 752 and 874 (both as amended).

Recessed: 2:15 p.m.

Reconvened: 2:40 p.m.

Adjourned: 2:55 p.m.

RULES AND ADMINISTRATION

Convened: Tuesday, April 10, 2007, 3:45 p.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 SRs 32 and 33 and [HCR 9](#).

Adjourned: 3:50 p.m.

INTRODUCTION OF RESOLUTION

[Senate Resolution 35](#), by Johnson, Dvorsky, and Hahn, a resolution recognizing the Uncommon Public Service Award.

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

FINAL COMMITTEE REPORTS OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: [SENATE RESOLUTION 32](#), a resolution recognizing the federal Morrill Act and celebrating the renovation of Morrill Hall at Iowa State University.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE RESOLUTION 33](#), a resolution honoring the Pioneer United Methodist Church of Rock Valley, Iowa, on the occasion of its quasiquicentennial year.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE CONCURRENT RESOLUTION 9](#), a concurrent resolution relating to Pioneer Lawmakers.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WITHDRAWAL AND DEFERRAL OF GOVERNOR'S APPOINTEES

The following letters from the Governor were received in the office of the Secretary of the Senate on April 10, 2007:

I am withdrawing the name of Brenda Neville to serve as a Renewable Fuel Infrastructure Board member from further consideration by the Senate.

Pursuant to Iowa Code sections 2.32(1a) and 15G.202, please accept this letter as the notice of deferment of the appointment to the Renewable Fuel Infrastructure Board, formerly held by Brenda Neville. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

I am withdrawing the name of David Smitherman to serve as a Renewable Fuel Infrastructure Board member from further consideration by the Senate.

Pursuant to Iowa Code sections 2.32(1a) and 15G.202, please accept this letter as the notice of deferment of the appointment to the Renewable Fuel Infrastructure Board, formerly held by David Smitherman. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

I am withdrawing the name of Dennis Harding to serve as a Renewable Fuel Infrastructure Board member from further consideration by the Senate.

Pursuant to Iowa Code sections 2.32(1a) and 15G.202, please accept this letter as the notice of deferment of the appointment to the Renewable Fuel Infrastructure Board, formerly held by Dennis Harding. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

I am withdrawing the name of Mary Norton to serve as a Renewable Fuel Infrastructure Board member from further consideration by the Senate.

Pursuant to Iowa Code sections 2.32(1a) and 15G.202, please accept this letter as the notice of deferment of the appointment to the Renewable Fuel Infrastructure Board, formerly held by Mary Norton. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

I am withdrawing the name of Mona Bond to serve as a Renewable Fuel Infrastructure Board member from further consideration by the Senate.

Pursuant to Iowa Code sections 2.32(1a) and 15G.202, please accept this letter as the notice of deferment of the appointment to the Renewable Fuel Infrastructure Board, formerly held by Mona Bond. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

AMENDMENTS FILED

S-3307

H.F. 827

Paul McKinley
Steve Kettering

		Nancy J. Boettger Jerry Behn Hubert Houser James F. Hahn David Johnson Paul McKinley Steve Kettering Nancy J. Boettger Jerry Behn Hubert Houser James F. Hahn David Johnson Paul McKinley Jerry Behn Brad Zaun Ron Wieck Nancy J. Boettger E. Thurman Gaskill James A. Seymour David Johnson James F. Hahn Dave Mulder Mark Zieman David L. Hartsuch Larry McKibben Jeff Angelo Hubert Houser Steve Kettering Nancy J. Boettger Nancy J. Boettger Jerry Behn Brad Zaun Paul McKinley Ron Wieck Dave Mulder Nancy J. Boettger Jerry Behn Ron Wieck Jeff Angelo Larry Noble David Johnson
<u>S-3308</u>	<u>H.F. 827</u>	
<u>S-3309</u>	<u>H.F. 611</u>	
<u>S-3310</u>	<u>H.F. 742</u>	
<u>S-3311</u>	<u>H.F. 611</u>	
<u>S-3312</u>	<u>H.F. 611</u>	

James A. Seymour
David L. Hartsuch
Dave Mulder
Steve Kettering
Paul McKinley
Brad Zaun
Mark Zieman
James F. Hahn
John Putney
E. Thurman Gaskill
Hubert Houser
Larry McKibben
Pat Ward
Mary A. Lundby
Brad Zaun
Paul McKinley
Tom Hancock
Jerry Behn
Nancy J. Boettger
Mark Zieman
House
House
Amanda Ragan
Daryl Beall
Steve Warnstadt
James A. Seymour

S-3313

H.F. 611

S-3314

S.F. 265

S-3315

S.F. 155

S-3316

H.F. 773

S-3317

H.F. 817