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**STATE OF IOWA**

**Senate Journal**

**MONDAY, FEBRUARY 25, 2008**

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# JOURNAL OF THE SENATE

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FORTY-THIRD CALENDAR DAY  
TWENTY-FIFTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Monday, February 25, 2008

The Senate met in regular session at 1:00 p.m., President Kibbie presiding.

Prayer was offered by the Honorable David Johnson, member of the Senate from Osceola County, Ocheyedan, Iowa.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Rhonda Greenway.

The Journal of Thursday, February 21, 2008, was approved.

## HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 21, 2008, **passed** the following bill in which the concurrence of the House was asked:

[Senate File 2059](#), a bill for an act relating to the administration of the department of cultural affairs.

ALSO: That the House has on February 21, 2008, **passed** the following bill in which the concurrence of the Senate is asked:

[House File 2197](#), a bill for an act requiring institutions of higher learning and community colleges to provide students with specific textbook information.

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

## BILLS REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that **Senate Files 2219, 2220, and 2223** be referred from the Regular Calendar to the committee on **Ways and Means**.

The Senate stood at ease at 1:07 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:07 p.m., President Kibbie presiding.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Ward, until she arrives, on request of Senator Wieck.

## 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:

George Belitsos – Child Welfare Advisory Committee  
Cynthia Cox – Child Welfare Advisory Committee  
George Estle – Child Welfare Advisory Committee  
Jerry Foxhoven – Child Welfare Advisory Committee  
Kathleen Kilnoski – Child Welfare Advisory Committee  
Jean McAleer – Child Welfare Advisory Committee  
Richard Moore – Child Welfare Advisory Committee  
Randal Peters – Child Welfare Advisory Committee  
Ronald Stehl – Child Welfare Advisory Committee

Valynda Akin – Electrical Examining Board  
Lori Mease – Electrical Examining Board  
Andrea Rivera-Harrison – Electrical Examining Board  
Randy VanVoorst – Electrical Examining Board

Sherry Sievers – Iowa Emergency Response Commission

Rachel Scott – Administrator of the Division on the Status of Women

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:

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

Nays, none.

Absent, 1:

Ward

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 Hogg called up the appointment of John Baldwin, as Director of the Department of Corrections, placed on the Individual Confirmation Calendar on February 7, 2008, and found on page 206 of the Senate Journal.

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

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

Yeas, 49:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn

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

Nays, none.

Absent, 1:

Ward

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

#### CONFIRMATION OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Dearden called up the appointment of Elisabeth Buck, as Director of Workforce Development, placed on the Individual Confirmation Calendar on February 20, 2008, and found on page 326 of the Senate Journal.

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

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

Yeas, 49:

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

Dearden	Houser	Quirnbach
Dotzler	Johnson	Ragan
Dvorsky	Kettering	Rielly

Nays, none.

Absent, 1:

Ward

The appointee, having received a two-thirds vote, was 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 Senate Files 2061, 2100, and 2074.

#### Senate File 2061

On motion of Senator Schmitz, Senate File 2061, a bill for an act relating to controlled substance schedules and the reporting requirements to the board of pharmacy and making penalties applicable, was taken up for consideration.

Senator Schmitz asked and received unanimous consent that House File 2167 be **substituted** for Senate File 2061.

#### House File 2167

On motion of Senator Schmitz, House File 2167, a bill for an act relating to controlled substance schedules and the reporting requirements to the board of pharmacy and making penalties applicable, 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. 2167](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Ward

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

### WITHDRAWN

Senator Schmitz asked and received unanimous consent that [Senate File 2061](#) be **withdrawn** from further consideration of the Senate.

### [Senate File 2100](#)

On motion of Senator Schmitz, [Senate File 2100](#), a bill for an act relating to the membership requirements and oversight responsibilities of the board of educational examiners, was taken up for consideration.

Senator Schmitz asked and received unanimous consent that [House File 2137](#) be **substituted** for [Senate File 2100](#).

### House File 2137

On motion of Senator Schmitz, House File 2137, a bill for an act relating to the membership requirements and oversight responsibilities of the board of educational examiners, 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. 2137), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Ward

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

WITHDRAWN

Senator Schmitz asked and received unanimous consent that Senate File 2100 be **withdrawn** from further consideration of the Senate.



### Senate File 2074

On motion of Senator Quirmbach, [Senate File 2074](#), a bill for an act relating to the advanced practice registered nurse licensure compact and providing an effective date, was taken up for consideration.

Senator Quirmbach asked and received unanimous consent that [House File 2151](#) be **substituted** for [Senate File 2074](#).

### House File 2151

On motion of Senator Quirmbach, [House File 2151](#), a bill for an act relating to the advanced practice registered nurse licensure compact and providing an effective date, was taken up for consideration.

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. 2151](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Ward

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

## WITHDRAWN

Senator Quirnbach asked and received unanimous consent that [Senate File 2074](#) be **withdrawn** from further consideration of the Senate.

## HOUSE AMENDMENT CONSIDERED

[Senate File 261](#)

Senator Bolkom called up for consideration [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, amended by the House in House amendment [S-5003](#), filed February 11, 2008.

Senator Bolkom moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Bolkom moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

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

Yeas, 42:

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

Nays, 7:

Angelo	Hahn	Kettering	Zaun
Behn	Hartsuch	McKinley	

Absent, 1:

Ward

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](#) and **House Files 2137, 2151, and 2167** be **immediately messaged** to the House.

### RECESS

On motion of Senator Gronstal, the Senate recessed at 2:50 p.m. until 5:00 p.m.

## APPENDIX—1

### PRESENTATION OF VISITORS

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

The 2008 Dowling Catholic High School basketball team from West Des Moines, accompanied by Coach John Wilkenson and his assistant coaches. Senator Zaun.

### CERTIFICATES OF RECOGNITION

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

Jack Leaman, Mason City—For being elected to the College of Fellows of the American Institute of Certified Planners. Senator Ragan (2/25/08).

Ethan and Maxine Rasmussen—For celebrating their 60th wedding anniversary. Senator Gronstal (2/25/08).

Harry and Lila Springer—For celebrating their 60th wedding anniversary. Senator Gronstal (2/25/08).

Dan and Rosella Storjohahn—For celebrating their 69th wedding anniversary. Senator Gronstal (2/25/08).

### REPORTS OF COMMITTEE MEETINGS

#### APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

**Convened:** February 21, 2008, 10:55 a.m.

**Members Present:** Hatch, Chair; Kreiman, Vice Chair; Ragan and Seymour.

**Members Absent:** Johnson, Ranking Member (excused).

**Committee Business:** Presentation by Iowa Protection and Advocacy Services.

**Adjourned:** 11:30 a.m.

### INTRODUCTION OF RESOLUTIONS

**[Senate Resolution 108](#)**, by Johnson, a resolution recognizing the Uncommon Public Service Award.

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

[Senate Resolution 109](#), by Kettering, a resolution honoring Amy Peyton, a Distinguished Finalist in the 2008 Prudential Spirit of Community Awards Program.

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

### INTRODUCTION OF BILLS

[Senate File 2230](#), by committee on Natural Resources and Environment, a bill for an act authorizing the issuance of special nonresident turkey and deer hunting licenses to certain persons who have severe physical disabilities or a terminal illness.

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

[Senate File 2231](#), by committee on Economic Growth, a bill for an act increasing the total aggregate amount of tax credits issued for business investment and contributions to seed capital funds and coinvestment funds and repealing a venture capital fund investment tax credit.

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

[Senate File 2232](#), by Bolkom, a bill for an act establishing a low head dam public hazard program.

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

[Senate File 2233](#), by Schoenjahn, a bill for an act relating to the preneed sale of cemetery and funeral merchandise and funeral services.

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

[Senate File 2234](#), by Wood, a bill for an act providing for research related to mitigation of odor emitted from livestock operations.

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

#### STUDY BILLS RECEIVED

[SSB 3227](#)      **State Government**

Making revisions and modifications to uniform finance procedures for bonds issued by the state.

[SSB 3228](#)      **State Government**

Concerning the duties and responsibilities of the auditor of state.

[SSB 3229](#)      **Human Resources**

Relating to reimbursement of providers of child welfare services.

[SSB 3230](#)      **Agriculture**

Urging the United States Environmental Protection Agency to take all actions necessary to provide American consumers with the opportunity to use higher ethanol blended gasoline for general use in conventional engines.

[SSB 3231](#)      **Judiciary**

Relating to trusts and estates including the administration of small estates, and including retroactive and other applicability provisions.

[SSB 3232](#)      **Judiciary**

Creating the Iowa uniform prudent management of institutional funds Act and including an applicability provision.

**SSB 3233 Appropriations**

Relating to and making appropriations to the justice system and including an effective date.

**SSB 3234 Appropriations**

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

**SSB 3235 Appropriations**

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

**SUBCOMMITTEE ASSIGNMENTS****Senate File 2206**

STATE GOVERNMENT: Danielson, Chair; Kibbie and Zieman

**Senate File 2213**

AGRICULTURE: Olive, Chair; Black and Johnson

**Senate File 2219**

WAYS AND MEANS: Seng, Chair; Dotzler and Ward

**Senate File 2220**

WAYS AND MEANS: Dotzler, Chair; Angelo and Seng

**Senate File 2223**

WAYS AND MEANS: Hogg, Chair; Angelo and Stewart

**Senate File 2224**

VETERANS AFFAIRS: Warnstadt, Chair; Danielson and Seymour

[Senate File 2227](#)

STATE GOVERNMENT: Kibbie, Chair; Connolly and Ziemann

[Senate File 2228](#)

APPROPRIATIONS: Dvorsky, Chair; and Kettering

[Senate File 2229](#)

STATE GOVERNMENT: Wood, Chair; Danielson and Ziemann

[Senate File 2233](#)

COMMERCE: Schoenjahn, Chair; Bolckom and Ward

[Senate File 2234](#)

AGRICULTURE: Courtney, Chair; Johnson and Kibbie

[House File 2165](#)

(Reassigned)

JUDICIARY: Hogg, Chair; Behn and Kreiman

[House File 2197](#)

EDUCATION: Quirnbach, Chair; Beall and McKinley

[SSB 3227](#)

STATE GOVERNMENT: Kibbie, Chair; Connolly and Hahn

[SSB 3228](#)

STATE GOVERNMENT: Danielson, Chair; Appel and McKibben

[SSB 3229](#)

HUMAN RESOURCES: Kreiman, Chair; Hartsuch and Schmitz

[SSB 3230](#)

AGRICULTURE: Kibbie, Chair; Boettger, Fraise, Johnson, and Rielly

[SSB 3231](#)

JUDICIARY: Horn, Chair; Hogg and Ward

[SSB 3232](#)

JUDICIARY: Fraise, Chair; Hogg and Ward



[SSB 3233](#)

APPROPRIATIONS: Dvorsky, Chair; and Kettering

[SSB 3234](#)

APPROPRIATIONS: Dvorsky, Chair; and Kettering

[SSB 3235](#)

APPROPRIATIONS: Dvorsky, Chair; and Kettering

## FINAL COMMITTEE REPORTS OF BILL ACTION

### ECONOMIC GROWTH

**Bill Title:** [SENATE FILE 2231](#)\* ([SSB 3129](#)), a bill for an act increasing the total aggregate amount of tax credits issued for business investment and contributions to seed capital funds and coinvestment funds and repealing a venture capital fund investment tax credit.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 10: Stewart, Houser, Beall, Danielson, Dotzler, Hahn, Mulder, Schmitz, Seymour, and Zaun. Nays, none. Absent, 3: Olive, Hatch and Rielly.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

\*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Economic Growth Committee on [Senate File 2231](#), and they were attached to the committee report.

### NATURAL RESOURCES AND ENVIRONMENT

**Bill Title:** [SENATE FILE 2230](#)\* (formerly [SF 2086](#)), a bill for an act authorizing the issuance of special nonresident turkey and deer hunting licenses to certain persons who have severe physical disabilities or a terminal illness.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 12: Black, Hancock, Gaskill, Behn, Bolkcom, Dearden, Johnson, Kettering, Ragan, Schoenjahn, Seng, and Wood. Nays, none. Absent, 3: Hogg, Lundby, and Noble.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

\*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Natural Resources and Environment Committee on [Senate File 2230](#), and they were attached to the committee report.

## AFTERNOON SESSION

The Senate reconvened at 5:02 p.m., President Kibbie presiding.

## QUORUM CALL

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

The vote revealed 43 present, 7 absent, and a quorum present.

CONSIDERATION OF BILLS  
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2130, 2108, 2089, 2177, and 2203.

[Senate File 2130](#)

On motion of Senator Stewart, [Senate File 2130](#), a bill for an act relating to certain county distress criteria under the enterprise zone program, with report of committees on Economic Growth and Appropriations recommending passage, was taken up for consideration.

Senator Stewart asked and received unanimous consent that [House File 2195](#) be **substituted** for [Senate File 2130](#).

[House File 2195](#)

On motion of Senator Stewart, [House File 2195](#), a bill for an act relating to certain county distress criteria under the enterprise zone program, was taken up for consideration.

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?” ([H.F. 2195](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Ward

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

### WITHDRAWN

Senator Stewart asked and received unanimous consent that [Senate File 2130](#) be **withdrawn** from further consideration of the Senate.

### [Senate File 2108](#)

On motion of Senator Hancock, [Senate File 2108](#), a bill for an act relating to the designation of a Gift to Iowa’s Future Recognition Day, with report of committee recommending passage, was taken up for consideration.

Senator Hancock offered amendment [S-5012](#), filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment [S-5012](#) was adopted by a voice vote.

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

On the question “Shall the bill pass?” ([S.F. 2108](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Ward

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

### [Senate File 2089](#)

On motion of Senator Quirnbach, [Senate File 2089](#), a bill for an act relating to applications for absentee ballots, was taken up for consideration.

Senator Zaun offered amendment [S-5006](#), filed by him on February 19, 2008, to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5006](#) be adopted?” ([S.F. 2089](#)), the vote was:

Yeas, 12:

Angelo	Hartsuch	McKinley	Seymour
Behn	Johnson	Noble	Wieck
Hahn	Kettering	Putney	Zaun

Nays, 37:

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

Absent, 1:

Ward

Amendment [S-5006](#) lost.

Senator Zaun offered amendment [S-5007](#), filed by him on February 19, 2008, to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5007](#) be adopted?” ([S.F. 2089](#)), the vote was:

Yeas, 18:

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

Nays, 31:

Appel	Dotzler	Horn	Rielly
Beall	Dvorsky	Kibbie	Schmitz
Black	Fraise	Kreiman	Schoenjahn

Bolkcom	Gronstal	Lundby	Seng
Connolly	Hancock	McCoy	Stewart
Courtney	Hatch	Olive	Warnstadt
Danielson	Heckroth	Quirmbach	Wood
Dearden	Hogg	Ragan	

Absent, 1:

Ward

Amendment [S-5007](#) lost.

Senator Zaun offered amendment [S-5005](#), filed by him on February 19, 2008, to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5005](#) be adopted?” ([S.F. 2089](#)), the vote was:

Yeas, 19:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Wieck
Boettger	Johnson	Mulder	Zaun
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	Quirmbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Absent, 1:

Ward

Amendment [S-5005](#) lost.

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?” ([S.F. 2089](#)), the vote was:

Yeas, 43:

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

Nays, 6:

Angelo	Hartsuch	McKinley
Behn	Johnson	Zaun

Absent, 1:

Ward

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

### [Senate File 2177](#)

On motion of Senator Schmitz, [Senate File 2177](#), a bill for an act relating to health-related activities and regulation by the department of public health, was taken up for consideration.

Senator Hartsuch offered amendment [S-5011](#), 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-5011](#) be adopted?” ([S.F. 2177](#)), the vote was:

Yeas, 21:

Angelo	Houser	Noble	Wood
Behn	Johnson	Putney	Zaun
Boettger	Kettering	Rielly	Zieman
Gaskill	McKibben	Seng	

Hahn	McKinley	Seymour
Hartsuch	Mulder	Wieck

Nays, 28:

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

Absent, 1:

Ward

Amendment [S-5011](#) lost.

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?” ([S.F. 2177](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Ward

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



### Senate File 2203

On motion of Senator Seng, Senate File 2203, a bill for an act relating to contest events where an animal is injured, tormented, or killed, by providing a penalty for spectators, was taken up for consideration.

Senator Seng 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. 2203), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Ward

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 2089, 2108, 2177, and 2203** and House File 2195 be **immediately messaged** to the House.

## ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 6:00 p.m. until 8:45 a.m., Tuesday, February 26, 2008.

## APPENDIX—2

### CERTIFICATES OF RECOGNITION

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

Virgil Anderson, Denison—For celebrating his 80th birthday. Senator Seymour (2/25/08).

Lawrence Bartels, Schleswig—For celebrating his 90th birthday. Senator Seymour (2/25/08).

Reynold Gehlsen, Denison—For celebrating his 80th birthday. Senator Seymour (2/25/08).

Lynn and Leeta Grap, Persia—For celebrating their 60th wedding anniversary. Senator Seymour (2/25/08).

Harvey and Thelma Hansen, Onawa—For celebrating their 60th wedding anniversary. Senator Seymour (2/25/08).

Thelma and Calvin Johnsen, Logan—For celebrating their 60th wedding anniversary. Senator Seymour (2/25/08).

Darell and Hazel Muller, Harlan—For celebrating their 60th wedding anniversary. Senator Boettger (2/25/08).

John Poggensee, Denison—For celebrating his 80th birthday. Senator Seymour (2/25/08).

Verl and Ruth Wynn, Creston—For celebrating their 60th wedding anniversary. Senator Boettger (2/25/08).

### REPORTS OF COMMITTEE MEETINGS

#### COMMERCE

**Convened:** February 25, 2008, 4:10 p.m.

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

**Members Absent:** Angelo and Ward (both excused).

**Committee Business:** Approved SSBs 3170, 3172, and 3197.

**Adjourned:** 4:20 p.m.

## LOCAL GOVERNMENT

**Convened:** February 25, 2008, 3:00 p.m.

**Members Present:** Quirnbach, Chair; Beall, Vice Chair; Zaun, Ranking Member; Angelo, Hartsuch, Heckroth, Houser, Kreiman, McKinley, Olive, Rielly, Schoenjahn, and Stewart.

**Members Absent:** None.

**Committee Business:** Passed [SF 2105](#).

**Adjourned:** 3:10 p.m.

## STATE GOVERNMENT

**Convened:** February 25, 2008, 3:00 p.m.

**Members Present:** Connolly, Chair; Horn, Vice Chair; Zieman, Ranking Member; Appel, Behn, Black, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood.

**Members Absent:** None.

**Committee Business:** Passed HFs 580 and 2212, as amended.

**Recessed:** 3:20 p.m.

**Reconvened:** 3:30 p.m.

**Adjourned:** 3:45 p.m.

## INTRODUCTION OF BILLS

[Senate File 2235](#), by Dotzler, a bill for an act concerning fine arts projects in state buildings.

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

[Senate File 2236](#), by Danielson, a bill for an act establishing committees to formulate plans for a state research and development prekindergarten through grade twelve school and providing an effective date.

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

[Senate File 2237](#), by McKinley, a bill for an act relating to eligibility for assistance from the grow Iowa values fund.

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

[Senate File 2238](#), by Bolkom, a bill for an act providing for waterway infrastructure, and making penalties applicable.

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

[Senate File 2239](#), by Bolkom, Black, Dearden, Courtney, and Dotzler, a bill for an act creating an international trade and globalization advisory council.

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

[Senate File 2240](#), by Dotzler, Danielson, Zieman, Courtney, Beall, Seng, and Horn, a bill for an act relating to permissible prizes for use of an electrical and mechanical amusement device and the penalties for awarding an improper cash prize.

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

[Senate File 2241](#), by Dotzler, a bill for an act relating to economic development by making the Sac and Fox tribe of the Mississippi in Iowa eligible for certain economic development programs.

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

SUBCOMMITTEE ASSIGNMENT

House File 2215

ECONOMIC GROWTH: Beall, Chair; Hahn and Schmitz

FINAL COMMITTEE REPORTS OF BILL ACTION

STATE GOVERNMENT

**Bill Title:** HOUSE FILE 580, a bill for an act regulating electioneering communications for campaign finance and disclosure purposes and making civil remedies applicable.

**Recommendation:** DO PASS.

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

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Bill Title:** HOUSE FILE 2212, a bill for an act creating a smokefree air Act and providing penalties.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-5013.

**Final Vote:** Ayes, 8: Connolly, Horn, Appel, Danielson, Hatch, Kibbie, Schmitz, and Wood. Nays, none. Present, 7: Zieman, Behn, Black, Gaskill, Hahn, Kettering, and McKibben. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

<u>S-5010</u>	<u>S.F. 2216</u>	Frank B. Wood
<u>S-5011</u>	<u>S.F. 2177</u>	David L. Hartsuch
<u>S-5012</u>	<u>S.F. 2108</u>	Tom Hancock
<u>S-5013</u>	<u>H.F. 2212</u>	State Government