

PROOF

STATE OF IOWA

Senate Journal

FRIDAY, APRIL 25, 2008

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JOURNAL OF THE SENATE

ONE HUNDRED THIRD CALENDAR DAY
SIXTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, April 25, 2008

The Senate met in regular session at 10:06 a.m., President Kibbie presiding.

Prayer was offered by the Honorable Roger Stewart, member of the Senate from Jackson County, Preston, Iowa.

The Journal of Thursday, April 24, 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 April 24, 2008, **passed** the following bill in which the concurrence of the House was asked:

[Senate File 2430](#), a bill for an act relating to economic development by creating a community microenterprise development organization grant program, a microenterprise development advisory committee, and a river enhancement community attraction and tourism fund, and by making changes to the requirements for individual development accounts and making appropriations, and including effective and retroactive applicability provisions.

ALSO: That the House has on April 24, 2008, **concurred in the Senate amendment and passed** the following bill in which the concurrence of the House was asked:

[House File 2688](#), a bill for an act providing for efforts to mitigate odor emitted from a livestock operation including by providing for basic and applied research and evaluations, providing for

implementation, and including applicability and effective date provisions.

ALSO: That the House has on April 24, 2008, **concurred in the Senate amendment to the House amendment and passed** the following bill in which the concurrence of the House was asked:

[Senate File 2400](#), a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters and providing an effective date.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate Resolution 152](#).

[Senate Resolution 152](#)

On motion of Senator Beall, [Senate Resolution 152](#), a resolution to honor the Meskwaki tribe members who served as Code Talkers in North Africa during World War II and to request that Congress and the President of the United States honor all Code Talkers who served in the United States armed forces, with report of committee recommending passage, was taken up for consideration.

Senator Beall moved the adoption of [Senate Resolution 152](#), which motion prevailed by a voice vote.

SPECIAL GUESTS

Senator Beall introduced to the chamber representatives of the Meskwaki tribe.

The Senate rose and expressed its welcome.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate Resolution 135](#).

Senate Resolution 135

On motion of Senator Zaun, [Senate Resolution 135](#), a resolution welcoming the new Iowa Barnstormers arena football team to Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Zaun moved the adoption of [Senate Resolution 135](#), which motion prevailed by a voice vote.

RECESS

On motion of Senator Gronstal, the Senate recessed at 10:29 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

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

SPECIAL PRESENTATION TO SENATE PAGES

The Senate Pages were invited to the well of the Senate for a special presentation and were thanked by President Kibbie, Senator Gronstal, and Senator Wieck for their service to the Senate.

Certificates of Excellence for serving with honor and distinction as Senate Pages during the 2008 Regular Session of the Eighty-second General Assembly were given to the following:

Raeann Batz, Danny Blanchard, Ann Dvorsky, Emily Ehlers, Christina Gibbons, Rhonda Greenway, Chase Hall, Caslon Hatch, Cassondra Holstad, Michael Palsic, Amy Peyton, Rachel Rivenbark, Zachary Simonson, Zakary Steib, and Cole Unger.

The Senate rose and expressed its appreciation.

The Senate stood at ease at 10:50 a.m. until 11:30 a.m.

The Senate resumed session at 11:39 a.m., President Kibbie presiding.

RECESS

On motion of Senator Gronstal, the Senate recessed at 11:40 a.m. until 1:00 p.m.

RECONVENED

The Senate reconvened at 2:26 p.m., President Kibbie presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 25, 2008, **passed** the following bill in which the concurrence of the Senate is asked:

House File 2700, a bill for an act relating to state and local finances by providing for funding of property tax credits and reimbursements, by making, increasing and reducing appropriations, providing for salaries and compensation of state employees, providing for matters relating to tax credits, providing for fees and penalties, and providing for properly related matters, and including effective and retroactive applicability date provisions.

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

MOTION TO RECONSIDER WITHDRAWN

House File 2647

Senator Gronstal withdrew the motion to reconsider **House File 2647**, a bill for an act relating to and making appropriations to the judicial branch, filed by him on April 10, 2008, and found on page 1044 of the Senate Journal.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House File 2647** be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 2:30 p.m. until the completion of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 5:40 p.m., President Kibbie presiding.

INTRODUCTION OF RESOLUTION

[Senate Resolution 164](#), by Hatch, a resolution thanking those Senators retiring from the Senate for their service to the State of Iowa.

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

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 25, 2008, **concurred in the Senate amendment and passed** the following bill in which the concurrence of the House was asked:

[House File 2687](#), a bill for an act relating to certain economic development programs by providing tax credits for the redevelopment of underutilized properties, and including effective date and retroactive applicability date provisions.

ALSO: That the House has on April 25, 2008, **receded from the House amendment to and passed** the following bill in which the concurrence of the House was asked:

[Senate File 2216](#), a bill for an act concerning state and local measures for preparing a student for a career or for postsecondary education, including a statewide core curriculum for school districts and accredited nonpublic schools and a state-designated career information and decision-making system.

ALSO: That the House has on April 25, 2008, **adopted the conference committee report and passed** [Senate File 2425](#), a bill for an act relating to and making appropriations for health and human services and including other related provisions and appropriations, providing penalties, making penalties applicable and providing effective, retroactive, and applicability date provisions.

ALSO: That the House has on April 25, 2008 **amended and passed** the following bill in which the concurrence of the Senate is asked:

[Senate File 2424](#), a bill for an act concerning public retirement systems and other employee benefit-related matters, including the

public safety peace officers' retirement, accident, and disability system, the Iowa public employees' retirement system, the statewide fire and police retirement system, and the judicial retirement system, including implementation and transition provisions, and providing effective and retroactive applicability dates. ([S-5451](#))

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Gaskill, Houser McKibben, and Mulder, for the remainder of the day, and Zaun, until he returns, on request of Senator Wieck; and Senators Connolly and Courtney, for the remainder of the day, on request of Senator Gronstal.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: [SENATE RESOLUTION 164](#), a resolution thanking those Senators retiring from the Senate for their service to the State of Iowa.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Gronstal, Kibbie, Wieck, Danielson, Dearden, Dvorsky, Ragan, and Zieman. Nays, none. Absent, 3: Angelo, Courtney, and Lundby.

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 164](#).

[Senate Resolution 164](#)

On motion of Senator Hatch, [Senate Resolution 164](#), a resolution thanking those Senators retiring from the Senate for their service to the State of Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Hatch moved the adoption of [Senate Resolution 164](#), which motion prevailed by a voice vote.

HOUSE AMENDMENT CONSIDERED

[Senate File 2424](#)

Senator Gronstal called up for consideration [Senate File 2424](#), a bill for an act concerning public retirement systems and other employee benefit-related matters, including the public safety peace officers' retirement, accident, and disability system, the Iowa public employees' retirement system, the statewide fire and police retirement system, and the judicial retirement system, including implementation and transition provisions, and providing effective and retroactive applicability dates, amended by the House in House amendment [S-5451](#), filed April 25, 2008.

Senator Gronstal 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 Gronstal 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. 2424](#)), the vote was:

Yeas, 34:

Angelo	Gronstal	Kreiman	Schoenjahn
Beall	Hahn	Lundby	Seng
Black	Hancock	McCoy	Seymour
Bolkcom	Hatch	Olive	Stewart
Danielson	Heckroth	Putney	Warnstadt
Dearden	Hogg	Quirnbach	Wood
Dotzler	Horn	Ragan	Zieman
Dvorsky	Johnson	Rielly	
Fraise	Kibbie	Schmitz	

Nays, 7:

Behn	Hartsuch	McKinley	Wieck
Boettger	Kettering	Ward	

Present, 2:

Appel Noble

Absent, 7:

Connolly Gaskill McKibben Zaun
Courtney Houser Mulder

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 2424](#) be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 5:55 p.m. until 7:25 p.m.

EVENING SESSION

The Senate reconvened at 7:35 p.m., President Kibbie presiding.

QUORUM CALL

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

The vote revealed 40 present, 10 absent, and a quorum present.

HOUSE MESSAGES RECEIVED

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 23, 2008, **concurred in the Senate amendment and passed** the following bill in which the concurrence of the House was asked:

[House File 2660](#), a bill for an act relating to and making appropriations to the justice system.

ALSO: That the House has on April 23, 2008 **concurred in the Senate amendment to the House amendment and passed** the following bill in which the concurrence of the House was asked:

[Senate File 2417](#), a bill for an act relating to and making appropriations from the healthy Iowans tobacco trust and the tobacco settlement trust fund, and providing for the repeal of the healthy Iowans tobacco trust, and providing effective dates.

ALSO: That the House has on April 25, 2008, **adopted the conference committee report and passed** [House File 2539](#), a bill for an act relating to health care reform including health care coverage intended for children and adults, health information technology, end-of-life care decision making, preexisting conditions and dependent children coverage, medical homes, prevention and chronic care management, a buy-in provision for certain individuals under the medical assistance program, disease prevention and wellness initiatives, health care transparency, and including an applicability provision.

The Senate stood at ease at 7:52 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 9:06 p.m., President Kibbie presiding.

HOUSE MESSAGES RECEIVED

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, 2008, **passed** the following bill in which the concurrence of the House was asked:

[Senate File 2394](#), a bill for an act relating to and making transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund, and including an effective date.

ALSO: That the House has on April 21, 2008, **concurred in the Senate amendment and passed** the following bill which the concurrence of the House was asked:

[House File 2662](#), a bill for an act relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection.

ALSO: That the House has on April 25, 2008, **passed** the following bill in which the concurrence of the House was asked:

[Senate File 2432](#), a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the endowment for Iowa's health restricted capitals fund, the tax-exempt bond proceeds restricted capital funds account, the technology reinvestment fund, the FY 2009 tax-exempt bond proceeds restricted capital funds account, the environment first fund, and the FY 2009 prison bonding fund, and related matters, and providing effective and retroactive applicability date provisions.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Lundby, for the remainder of the day, on request of Senator Wieck.

CONFERENCE COMMITTEE REPORT RECEIVED

[House File 2539](#)

A conference committee report, signed by the following Senate and House members, was filed April 25, 2008, on [House File 2539](#), a bill for an act relating to health care reform including health care coverage intended for children and adults, health information technology, end-of-life care decision making, preexisting conditions and dependent children coverage, medical homes, prevention and chronic care management, a buy-in provision for certain individuals

under the medical assistance program, disease prevention and wellness initiatives, health care transparency, and including an applicability provision:

On the part of the Senate:

JACK HATCH, Chair
JOE BOLKCOM
AMANDA RAGAN
DAVID JOHNSON
JAMES A. SEYMOUR

On the part of the House:

LISA K. HEDDENS, Chair
AKO ABDUL-SAMAD
DAVID HEATON
MARK SMITH
LINDA UPMEYER

CONFERENCE COMMITTEE REPORT CONSIDERED

[House File 2539](#)

Senator Hatch called up the conference committee report on [House File 2539](#), a bill for an act relating to health care reform including health care coverage intended for children and adults, health information technology, end-of-life care decision making, preexisting conditions and dependent children coverage, medical homes, prevention and chronic care management, a buy-in provision for certain individuals under the medical assistance program, disease prevention and wellness initiatives, health care transparency, and including an applicability provision, filed on April 25, 2008, and moved its adoption.

The motion prevailed by a voice vote, and the conference committee report, and the recommendations and amendments contained therein, was adopted.

Senator Hatch 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. 2539](#)), the vote was:

Yeas, 37:

Angelo	Gronstal	McCoy	Seymour
Appel	Hahn	Noble	Stewart
Beall	Hancock	Olive	Ward
Black	Hatch	Putney	Warnstadt
Bolkcom	Heckroth	Quirnbach	Wieck
Danielson	Hogg	Ragan	Wood

Dearden	Horn	Rielly	Zieman
Dotzler	Johnson	Schmitz	
Dvorsky	Kibbie	Schoenjahn	
Fraise	Kreiman	Seng	

Nays, 6:

Behn	Hartsuch	McKinley
Boettger	Kettering	Zaun

Absent, 7:

Connolly	Gaskill	Lundby	Mulder
Courtney	Houser	McKibben	

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 2539](#) be **immediately messaged** to the House.

FINAL COMMITTEE REPORT OF BILL ACTION

APPROPRIATIONS

Bill Title: [HOUSE FILE 2700](#), a bill for an act relating to state and local finances by providing for funding of property tax credits and reimbursements, by making, increasing and reducing appropriations, providing for salaries and compensation of state employees, providing for matters relating to tax credits, providing for fees and penalties, and providing for properly related matters, and including effective and retroactive applicability date provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 16: Dvorsky, McCoy, Black, Bolkcom, Connolly, Danielson, Fraise, Gaskill, Hancock, Hatch, Hogg, Putney, Ragan, Seng, Warnstadt, and Wood. Nays, 8: Kettering, Angelo, Behn, Boettger, Hahn, Johnson, Seymour, and Ward. Absent, 1: Dotzler.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 2700](#).

House File 2700

On motion of Senator Dvorsky, [House File 2700](#), a bill for an act relating to state and local finances by providing for funding of property tax credits and reimbursements, by making, increasing and reducing appropriations, providing for salaries and compensation of state employees, providing for matters relating to tax credits, providing for fees and penalties, and providing for properly related matters, and including effective and retroactive applicability date provisions, with report of committee recommending passage, was taken up for consideration.

Senator Zaun offered amendment [S-5458](#), filed by Senator Zaun, et al., from the floor to page 2 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-5458](#) be adopted?" ([H.F. 2700](#)), the vote was:

Yeas, 18:

Angelo	Hartsuch	Olive	Wieck
Behn	Johnson	Putney	Zaun
Boettger	Kettering	Seng	Zieman
Hahn	McKinley	Seymour	
Hancock	Noble	Ward	

Nays, 25:

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

Absent, 7:

Connolly	Gaskill	Lundby	Mulder
Courtney	Houser	McKibben	

Amendment [S-5458](#) lost.

Senator Zaun offered amendment [S-5460](#), filed by Senator Zaun, et al., from the floor to pages 6 and 7 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5460](#) be adopted?” ([H.F. 2700](#)), the vote was:

Yeas, 14:

Behn	Johnson	Putney	Zaun
Boettger	Kettering	Seymour	Zieman
Hahn	McKinley	Ward	
Hartsuch	Noble	Wieck	

Nays, 29:

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

Absent, 7:

Cannolly	Gaskill	Lundby	Mulder
Courtney	Houser	McKibben	

Amendment [S-5460](#) lost.

Senator Angelo offered amendment [S-5454](#), filed by him from the floor to page 17 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5454](#) be adopted?” ([H.F. 2700](#)), the vote was:

Yeas, 18:

Angelo	Hartsuch	Noble	Wieck
Behn	Heckroth	Putney	Zaun
Boettger	Johnson	Schoenjahn	Zieman
Hahn	Kettering	Seymour	
Hancock	McKinley	Ward	

Nays, 25:

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

Absent, 7:

Connolly	Gaskill	Lundby	Mulder
Courtney	Houser	McKibben	

Amendment [S-5454](#) lost.

Senator Angelo withdrew amendment [S-5455](#), filed by him from the floor to page 17 of the bill.

Senator Hatch offered amendment [S-5456](#), filed by Senators Hatch and Bolkcom from the floor to pages 24 and 25 of the bill.

The Senate stood at ease at 9:53 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 10:00 p.m., President Kibbie presiding.

BUSINESS PENDING

[House File 2700](#)

The Senate resumed consideration of [House File 2700](#) and amendment [S-5456](#).

Senator Hatch moved the adoption of amendment [S-5456](#).

A nonrecord roll call was requested.

The ayes were 11, nays 26.

Amendment [S-5456](#) lost.

Senator Zaun offered amendment [S-5459](#), filed by Senator Zaun, et al., from the floor to page 26 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-5459](#) be adopted?" ([H.F. 2700](#)), the vote was:

Yeas, 21:

Angelo	Hahn	Noble	Wood
Behn	Hancock	Putney	Zaun
Black	Hartsuch	Seng	Zieman
Boettger	Johnson	Seymour	
Danielson	Kettering	Ward	
Dotzler	McKinley	Wieck	

Nays, 22:

Appel	Gronstal	Kreiman	Schmitz
Beall	Hatch	McCoy	Schoenjahn
Bolkcom	Heckroth	Olive	Stewart
Dearden	Hogg	Quirnbach	Warnstadt
Dvorsky	Horn	Ragan	
Fraise	Kibbie	Rielly	

Absent, 7:

Connolly	Gaskill	Lundby	Mulder
Courtney	Houser	McKibben	

Amendment [S-5459](#) lost.

Senator Angelo offered amendment [S-5452](#), filed by Senators Angelo and Quirnbach from the floor to page 29 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-5452](#) be adopted?" ([H.F. 2700](#)), the vote was:

Yeas, 19:

Angelo	Johnson	Olive	Wieck
Behn	Kettering	Putney	Wood
Boettger	Kibbie	Quirnbach	Zaun

Hahn	McKinley	Seymour	Zieman
Heckroth	Noble	Ward	

Nays, 24:

Appel	Dotzler	Hatch	Rielly
Beall	Dvorsky	Hogg	Schmitz
Black	Fraise	Horn	Schoenjahn
Bolkcom	Gronstal	Kreiman	Seng
Danielson	Hancock	McCoy	Stewart
Dearden	Hartsuch	Ragan	Warnstadt

Absent, 7:

Connolly	Gaskill	Lundby	Mulder
Courtney	Houser	McKibben	

Amendment [S-5452](#) lost.

Senator Hartsuch offered amendment [S-5462](#), filed by Senators Hartsuch, Ward, and Johnson from the floor to page 42 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-5462](#) be adopted?" ([H.F. 2700](#)), the vote was:

Yeas, 13:

Behn	Johnson	Seymour	Zieman
Boettger	Kettering	Ward	
Hahn	McKinley	Wieck	
Hartsuch	Putney	Zaun	

Nays, 30:

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

Absent, 7:

Connolly	Gaskill	Lundby	Mulder
Courtney	Houser	McKibben	

Amendment [S-5462](#) lost.

Senator Zaun offered amendment [S-5463](#), filed by Senators Zaun and Johnson from the floor to page 43 of the bill.

Senator Dvorsky raised the point of order that amendment [S-5463](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-5463](#) out of order.

Senator Kreiman offered amendment [S-5450](#), filed by Senator Connolly from the floor to pages 43–45 of the bill, and moved its adoption.

Amendment [S-5450](#) was adopted by a voice vote.

Senator Angelo asked and received unanimous consent to withdraw amendment [S-5453](#), filed by Senator Lundby from the floor to pages 45 and 47 of the bill.

Senator Boettger offered amendment [S-5461](#), filed by Senator Boettger, et al., from the floor to pages 48–51 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5461](#) be adopted?” ([H.F. 2700](#)), the vote was:

Yeas, 21:

Angelo	Hartsuch	Putney	Wood
Behn	Hogg	Schmitz	Zaun
Black	Johnson	Schoenjahn	Zieman
Boettger	Kettering	Seymour	
Hahn	McKinley	Ward	
Hancock	Noble	Wieck	

Nays, 22:

Appel	Dvorsky	Kibbie	Rielly
Beall	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Danielson	Hatch	Olive	Warnstadt
Dearden	Heckroth	Quirnbach	
Dotzler	Horn	Ragan	

Absent, 7:

Connolly	Gaskill	Lundby	Mulder
Courtney	Houser	McKibben	

Amendment [S-5461](#) lost.

Senator Wieck offered amendment [S-5457](#), filed by Senator Wieck, et al., from the floor to page 54 of the bill.

Senator Dvorsky raised the point of order that amendment [S-5457](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-5457](#) out of order.

Senator Dvorsky offered amendment [S-5464](#), filed by him from the floor to pages 2, 9, 12, 17, 19, 20, 22, 26, 29, 32, 34, 35, 45–47, 56, 58, 61, and 62 of the bill.

The Senate stood at ease at 11:07 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 11:52 p.m., President Kibbie presiding.

Senator Putney offered amendment [S-5465](#), filed by him from the floor to page 1 of amendment [S-5464](#), and moved its adoption.

Amendment [S-5465](#) was adopted by a voice vote.

Senator Dvorsky offered amendment [S-5466](#), filed by him from the floor to page 17 of amendment [S-5464](#), and moved its adoption.

Amendment [S-5466](#) was adopted by a voice vote.

The Senate resumed consideration of amendment [S-5464](#), as amended.

Senator Dvorsky called for the following division of amendment [S-5464](#):

Division [S-5464A](#): Page 9, lines 16–41;

Division [S-5464B](#): Page 15, lines 21–36; and

Division [S-5464C](#): Page 1, line 3–page 9, line 15; page 9, line 42–page 15, line 20; and page 15, line 37–page 35, line 17.

Senator Behn called for the following further division of amendment [S-5464C](#):

Division [S-5464C](#): Page 3, line 28–page 5, line 6; and

Division [S-5464D](#): Page 1, line 3–page 3, line 27; page 5, line 7–page 9, line 15; page 9, line 42–page 15, line 20; and page 15, line 37–page 35, line 17.

Senator Dvorsky asked to withdraw amendment [S-5464A](#).

Senator Dvorsky moved the adoption of amendment [S-5464B](#).

A record roll call was requested.

On the question “Shall amendment [S-5464B](#) be adopted?” ([H.F. 2700](#)), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 7:

Connolly	Gaskill	Lundby	Mulder
Courtney	Houser	McKibben	

Amendment [S-5464B](#) was adopted.

Senator Behn moved the adoption of [S-5464C](#).

Senator Dvorsky raised the point of order that amendment [S-5464C](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-5464C](#) out of order.

Senator Dvorsky moved the adoption of amendment [S-5464D](#).

Amendment [S-5464D](#) was adopted by a voice vote.

Senator Dvorsky 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. 2700](#)), the vote was:

Yeas, 27:

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

Nays, 15:

Angelo	Hartsuch	McKinley	Wieck
Behn	Johnson	Noble	Zaun
Boettger	Kettering	Seymour	Zieman
Hahn	Kreiman	Ward	

Present, 1:

Appel

Absent, 7:

Connolly	Gaskill	Lundby	Mulder
Courtney	Houser	McKibben	

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 2700](#) be **immediately messaged** to the House.

The Senate stood at ease at 12:35 a.m. until the fall of the gavel.

The Senate resumed session at 1:22 a.m., Saturday, April 26, 2008, President Kibbie presiding.

MOTIONS TO RECONSIDER WITHDRAWN

[House File 2699](#)

Senator Gronstal withdrew the motion to reconsider [House File 2699](#), a bill for an act relating to and making appropriations to the department of cultural affairs, the department of economic development, certain board of regents institutions, the department of workforce development, and the public employment relations board, and related matters and providing effective dates, filed by him on April 24, 2008, found on page 1281 of the Senate Journal.

[House File 2645](#)

Senator Gronstal withdrew the motion to reconsider [House File 2645](#), a bill for an act concerning public employee collective bargaining and teacher discipline, filed by him on March 24, 2008, found on page 782 of the Senate Journal.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 2645** and **2699** be **immediately messaged** to the House.

The Senate stood at ease at 1:34 a.m. until the fall of the gavel for the purpose of a Democratic party caucus.

The Senate resumed session at 1:55 a.m., President Kibbie presiding.

RECESS

On motion of Senator Gronstal, the Senate recessed at 1:56 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 2:25 a.m., President Kibbie presiding.

INTRODUCTION OF RESOLUTION

[Senate Concurrent Resolution 106](#), by committee on Rules and Administration, a concurrent resolution to provide for adjournment sine die.

Read first time and **placed on calendar**.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 25, 2008, **amended the Senate amendment, concurred in the Senate amendment as amended, and passed** the following bill in which the concurrence of the Senate is asked:

[House File 2700](#), a bill for an act relating to state and local finances by providing for funding of property tax credits and reimbursements, by making, increasing and reducing appropriations, providing for salaries and compensation of state employees, providing for matters relating to tax credits, providing for fees and penalties, and providing for properly related matters, and including effective and retroactive applicability date provisions. ([S-5467](#))

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Putney and Seymour, for the remainder of the day, on request of Senator Wieck; and Senator McCoy, for the remainder of the day, on request of Senator Gronstal.

HOUSE AMENDMENT TO
SENATE AMENDMENT CONSIDERED

[House File 2700](#)

Senator Dvorsky called up for consideration [House File 2700](#), a bill for an act relating to state and local finances by providing for funding of property tax credits and reimbursements, by making, increasing and reducing appropriations, providing for salaries and compensation of state employees, providing for matters relating to tax credits, providing for fees and penalties, and providing for properly related matters, and including effective and retroactive applicability date provisions, amended by the Senate and further amended by the House in House amendment [S-5467](#) to Senate amendment [H-8728](#), filed April 25, 2008.

Senator Dvorsky moved that the Senate concur in the House amendment to the Senate amendment.

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

Senator Dvorsky moved that the bill, as amended by the Senate, further 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?" ([H.F. 2700](#)), the vote was:

Yeas, 26:

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

Nays, 13:

Angelo	Hartsuch	Noble	Zieman
Behn	Johnson	Ward	
Boettger	Kettering	Wieck	
Hahn	McKinley	Zaun	

Present, 1:

Appel

Absent, 10:

Connolly	Houser	McKibben	Seymour
Courtney	Lundby	Mulder	
Gaskill	McCoy	Putney	

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 2700](#) be **immediately messaged** to the House.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: [SENATE CONCURRENT RESOLUTION 106](#), a concurrent resolution to provide for adjournment sine die.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Gronstal, Kibbie, Wieck, Danielson, Dearden, Dvorsky, Ragan, and Ziemann. Nays, none. Absent, 3: Angelo, Courtney, and Lundby.

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 Concurrent Resolution 106](#).

[Senate Concurrent Resolution 106](#)

On motion of Senator Gronstal, [Senate Concurrent Resolution 106](#), a concurrent resolution to provide for adjournment sine die, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal moved the adoption of [Senate Concurrent Resolution 106](#), which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [Senate Concurrent Resolution 106](#) be **immediately messaged** to the House.

FINAL ADJOURNMENT

By virtue of [Senate Concurrent Resolution 106](#), duly adopted, the day of April 26, 2008, having arrived, President Kibbie declared the 2008 Regular Session of the Eighty-second General Assembly adjourned sine die.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Bob Bierer—For his outstanding efforts in saving lives. Senator Hancock (4/25/08).

Deputy Brian Eckhart—For his outstanding efforts in saving lives. Senator Hancock (4/25/08).

Bob Platz—For 40 years of service to the Dyersville Fire Department. Senator Hancock (4/25/08).

Deputy CJ Sullivan—For his outstanding efforts in saving lives. Senator Hancock (4/25/08).

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 25, 2008, 2:40 p.m.

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

Members Absent: Dotzler (excused).

Committee Business: Passed [HF 2700](#).

Adjourned: 2:50 p.m.

RULES AND ADMINISTRATION

Convened: April 25, 2008, 10:30 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Wieck, Ranking Member; Danielson, Dearden, Dvorsky, Ragan, and Zieman.

Members Absent: Angelo, Courtney, and Lundby (all excused).

Committee Business: Approved [SR 164](#) and [SCR 106](#).

Recessed: 10:35 a.m.

Reconvened: April 26, 2008, 2:50 a.m.

Adjourned: 2:55 a.m.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 24, 2008, the Governor approved and transmitted to the Secretary of State the following bills:

[Senate File 2161](#) – Providing for the establishment of a council on homelessness.

[Senate File 2276](#) – Relating to the disposal of solid waste by changing permitting requirements and updating and clarifying existing provisions.

[Senate File 2350](#) – Relating to trusts and estates including the administration of small estates, and including retroactive and other applicability provisions.

[Senate File 2354](#) – Concerning the home ownership assistance program for members of the military.

AMENDMENTS FILED

S-5450	H.F. 2700	Michael Connolly
S-5451	S.F. 2424	House
S-5452	H.F. 2700	Jeff Angelo Herman C. Quirnbach
S-5453	H.F. 2700	Mary A. Lundby
S-5454	H.F. 2700	Jeff Angelo
S-5455	H.F. 2700	Jeff Angelo
S-5456	H.F. 2700	Jack Hatch Joe Bolkcom
S-5457	H.F. 2700	Ron Wieck David Johnson Jerry Behn John Putney Nancy J. Boettger Paul McKinley David L. Hartsuch Steve Kettering James F. Hahn Brad Zaun James A. Seymour

<u>S-5458</u>	<u>H.F. 2700</u>	Brad Zaun Paul McKinley Nancy J. Boettger Jerry Behn David Johnson Jeff Angelo Ron Wieck Mark Zieman James F. Hahn Steve Kettering John Putney Larry Noble Pat Ward David L. Hartsuch
<u>S-5459</u>	<u>H.F. 2700</u>	Brad Zaun Pat Ward David Johnson Mark Zieman Ron Wieck Jerry Behn John Putney James F. Hahn Steve Kettering Paul McKinley
<u>S-5460</u>	<u>H.F. 2700</u>	Brad Zaun Pat Ward David Johnson Nancy J. Boettger Mark Zieman Ron Wieck Jerry Behn James A. Seymour Steve Kettering James F. Hahn
<u>S-5461</u>	<u>H.F. 2700</u>	Nancy J. Boettger Paul McKinley Mark Zieman Mary A. Lundby David Johnson Jeff Angelo Brad Zaun

Ron Wieck
Steve Kettering
Jerry Behn
James F. Hahn
Pat Ward
David L. Hartsuch
John Putney
David L. Hartsuch
Pat Ward
David Johnson
Brad Zaun
David Johnson
Robert E. Dvorsky
John Putney
Robert E. Dvorsky
House

[S-5462](#) [H.F. 2700](#)

[S-5463](#) [H.F. 2700](#)

[S-5464](#) [H.F. 2700](#)

[S-5465](#) [H.F. 2700](#)

[S-5466](#) [H.F. 2700](#)

[S-5467](#) [H.F. 2700](#)