

PROOF

STATE OF IOWA

Senate Journal

THURSDAY, FEBRUARY 18, 2010

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JOURNAL OF THE SENATE

THIRTY-NINTH CALENDAR DAY
TWENTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 18, 2010

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

Prayer was offered by Father Paul Connolly of St. Joseph Catholic Church in DeWitt, Iowa. He was the guest of Senator Stewart.

The Journal of Wednesday, February 17, 2010, was approved.

RECESS

On motion of Senator Courtney, the Senate recessed at 9:04 a.m. until 2:15 p.m.

AFTERNOON SESSION

The Senate reconvened at 2:21 p.m., President Pro Tempore Danielson 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 February 18, 2010, **passed** the following bill in which the concurrence of the House was asked:

[Senate File 2076](#), a bill for an act relating to economic development including changes to the administration of certain economic development programs and to the terms served by members

of the economic development board and including effective date provisions.

ALSO: That the House has on February 18, 2010, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 785](#), a bill for an act relating to lead wheel weights on state-owned motor vehicles.

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

[House File 2310](#), a bill for an act relating to raising or releasing pen-reared pheasants originating from a hatchery approved by the department of natural resources.

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

[House File 2370](#), a bill for an act relating to enterprise zones by extending the application deadline for certification of enterprise zones and by updating certain fiscal year limitations.

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

[House File 2403](#), a bill for an act making changes to the uniform controlled substances Act.

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

[House File 2405](#), a bill for an act relating to the confidentiality of information disclosed pursuant to applications for broadband technology project grants, and projects undertaken pursuant thereto, and including effective date and applicability provisions.

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

[House File 2406](#), a bill for an act requiring the department of veterans affairs to promote and support the preservation of the U.S.S. Iowa as a naval museum.

Read first time and attached to **similar** [Senate File 2292](#).

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Kibbie, until he returns, on request of Senator Gronstal; and Senator Ward, until she arrives, on request of Senator Kettering.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2317, 2304, and 2340.

Senate File 2317

On motion of Senator Hogg, [Senate File 2317](#), a bill for an act authorizing the creation of watershed management authorities, was taken up for consideration.

Senator Hogg withdrew amendment [S-5070](#), filed by him on February 16, 2010, to pages 1 and 3 of the bill.

Senator Hogg offered amendment [S-5082](#), filed by him on February 17, 2010, to pages 1-3 of the bill, and moved its adoption.

Amendment [S-5082](#) was adopted by a voice vote.

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

On the question "Shall the bill pass?" ([S.F. 2317](#)), the vote was:

Yeas, 48:

Appel	Dvorsky	Houser	Reynolds
Bartz	Feenstra	Jochum	Rielly
Beall	Fraise	Johnson	Schmitz
Behn	Gronstal	Kapucian	Schoenjahn
Black	Hahn	Kettering	Seng
Boettger	Hamerlinck	Kreiman	Seymour
Bolkcom	Hancock	McCoy	Sodders
Courtney	Hartsuch	McKinley	Stewart
Dandekar	Hatch	Noble	Warnstadt

Danielson	Heckroth	Olive	Wieck
Dearden	Hogg	Quirnbach	Wilhelm
Dotzler	Horn	Ragan	Zaun

Nays, none.

Absent, 2:

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

Senate File 2304

On motion of Senator Sodders, [Senate File 2304](#), a bill for an act relating to vehicular accident reporting requirements by increasing the minimum amount of property damage necessitating a written report, was taken up for consideration.

Senator Sodders 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. 2304](#)), the vote was:

Yeas, 48:

Appel	Dvorsky	Houser	Reynolds
Bartz	Feenstra	Jochum	Rielly
Beall	Fraise	Johnson	Schmitz
Behn	Gronstal	Kapucian	Schoenjahn
Black	Hahn	Kettering	Seng
Boettger	Hamerlinck	Kreiman	Seymour
Bolkcom	Hancock	McCoy	Sodders
Courtney	Hartsuch	McKinley	Stewart
Dandekar	Hatch	Noble	Warnstadt
Danielson	Heckroth	Olive	Wieck
Dearden	Hogg	Quirnbach	Wilhelm
Dotzler	Horn	Ragan	Zaun

Nays, none.

Absent, 2:

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

Senate File 2340

On motion of Senator Noble, [Senate File 2340](#), a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective date and applicability provisions, was taken up for consideration.

Senator Noble offered amendment [S-5058](#), filed by the committee on Judiciary on February 15, 2010, to page 11 of the bill, and moved its adoption.

Amendment [S-5058](#) was adopted by a voice vote.

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

On the question "Shall the bill pass?" ([S.F. 2340](#)), the vote was:

Yeas, 48:

Appel	Dvorsky	Houser	Reynolds
Bartz	Feenstra	Jochum	Rielly
Beall	Fraise	Johnson	Schmitz
Behn	Gronstal	Kapucian	Schoenjahn
Black	Hahn	Kettering	Seng
Boettger	Hamerlinck	Kreiman	Seymour
Bolkcom	Hancock	McCoy	Sodders
Courtney	Hartsuch	McKinley	Stewart
Dandekar	Hatch	Noble	Warnstadt
Danielson	Heckroth	Olive	Wieck
Dearden	Hogg	Quirnbach	Wilhelm
Dotzler	Horn	Ragan	Zaun

Nays, none.

Absent, 2:

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

UNFINISHED BUSINESS
(Deferred February 17, 2010)

[Senate File 2150](#)

The Senate resumed consideration of [Senate File 2150](#), a bill for an act relating to intermediate driver's licenses and special minor's licenses, making a penalty applicable, and including effective date provisions, and amendment [S-5078](#), deferred February 17, 2010.

Senator Bartz withdrew amendment [S-5078](#).

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

On the question "Shall the bill pass?" ([S.F. 2150](#)), the vote was:

Yeas, 47:

Appel	Feenstra	Jochum	Rielly
Beall	Fraise	Johnson	Schmitz
Behn	Gronstal	Kapucian	Schoenjahn
Black	Hahn	Kettering	Seng
Boettger	Hamerlinck	Kreiman	Seymour
Bolkcom	Hancock	McCoy	Sodders
Courtney	Hartsuch	McKinley	Stewart
Dandekar	Hatch	Noble	Warnstadt
Danielson	Heckroth	Olive	Wieck
Dearden	Hogg	Quirnbach	Wilhelm
Dotzler	Horn	Ragan	Zaun
Dvorsky	Houser	Reynolds	

Nays, 1:

Bartz

Absent, 2:

Kibbie 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 2150, 2304, 2317, and 2340** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2303, 2300, 2299, 2297, and 2291.

Senate File 2303

On motion of Senator Kreiman, **Senate File 2303**, a bill for an act relating to detainers lodged against parolees in this state, was taken up for consideration.

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

On the question "Shall the bill pass?" (**S.F. 2303**), the vote was:

Yeas, 48:

Appel	Dvorsky	Houser	Reynolds
Bartz	Feenstra	Jochum	Rielly
Beall	Fraise	Johnson	Schmitz
Behn	Gronstal	Kapucian	Schoenjahn
Black	Hahn	Kettering	Seng
Boettger	Hamerlinck	Kreiman	Seymour
Bolkcom	Hancock	McCoy	Sodders
Courtney	Hartsuch	McKinley	Stewart
Dandekar	Hatch	Noble	Warnstadt
Danielson	Heckroth	Olive	Wieck
Dearden	Hogg	Quirnbach	Wilhelm
Dotzler	Horn	Ragan	Zaun

Nays, none.

Absent, 2:

Kibbie Ward

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

Senate File 2300

On motion of Senator Kreiman, **Senate File 2300**, a bill for an act relating to the service of notice requirements for landlords and tenants and the service of notice requirements in an action for forcible entry and detainer and including effective date provisions, was taken up for consideration.

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

On the question "Shall the bill pass?" (**S.F. 2300**), the vote was:

Yeas, 48:

Appel	Dvorsky	Houser	Reynolds
Bartz	Feenstra	Jochum	Rielly
Beall	Fraise	Johnson	Schmitz
Behn	Gronstal	Kapucian	Schoenjahn
Black	Hahn	Kettering	Seng
Boettger	Hamerlinck	Kreiman	Seymour
Bolkcom	Hancock	McCoy	Sodders
Courtney	Hartsuch	McKinley	Stewart
Dandekar	Hatch	Noble	Warnstadt
Danielson	Heckroth	Olive	Wieck
Dearden	Hogg	Quirnbach	Wilhelm
Dotzler	Horn	Ragan	Zaun

Nays, none.

Absent, 2:

Kibbie Ward

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Wieck, until he returns, on request of Senator Kettering.

[Senate File 2299](#)

On motion of Senator Fraise, [Senate File 2299](#), a bill for an act relating to grain transactions by regulating grain dealers and warehouse operators, providing for fees, and making penalties applicable, 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?" ([S.F. 2299](#)), the vote was:

Yeas, 47:

Appel	Dvorsky	Houser	Reynolds
Bartz	Feenstra	Jochum	Rielly
Beall	Fraise	Johnson	Schmitz
Behn	Gronstal	Kapucian	Schoenjahn
Black	Hahn	Kettering	Seng
Boettger	Hamerlinck	Kreiman	Seymour
Bolkcom	Hancock	McCoy	Sodders
Courtney	Hartsuch	McKinley	Stewart
Dandekar	Hatch	Noble	Warnstadt
Danielson	Heckroth	Olive	Wilhelm
Dearden	Hogg	Quirnbach	Zaun
Dotzler	Horn	Ragan	

Nays, none.

Absent, 3:

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Dvorsky, until he returns, on request of Senator Hogg.

[Senate File 2297](#)

On motion of Senator Warnstadt, [Senate File 2297](#), a bill for an act concerning veterans and military service, including waivers and refunds of certain fees, use of state facilities, public utility disconnection of service, and declarations for disposition of remains, was taken up for consideration.

Senator Warnstadt 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. 2297](#)), the vote was:

Yeas, 46:

Appel	Feenstra	Jochum	Rielly
Bartz	Fraise	Johnson	Schmitz
Beall	Gronstal	Kapucian	Schoenjahn
Behn	Hahn	Kettering	Seng
Black	Hamerlinck	Kreiman	Seymour
Boettger	Hancock	McCoy	Sodders
Bolkcom	Hartsuch	McKinley	Stewart
Courtney	Hatch	Noble	Warnstadt
Dandekar	Heckroth	Olive	Wilhelm
Danielson	Hogg	Quirnbach	Zaun
Dearden	Horn	Ragan	
Dotzler	Houser	Reynolds	

Nays, none.

Absent, 4:

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

[Senate File 2291](#)

On motion of Senator Schmitz, [Senate File 2291](#), a bill for an act relating to special education rights and duties and to the related duties and operations of the department of education and local school boards, was taken up for consideration.

Senator Schmitz offered amendment [S-5074](#), filed by her on February 17, 2010, to page 1 of the bill, and moved its adoption.

Amendment [S-5074](#) was adopted by a voice vote.

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. 2291](#)), the vote was:

Yeas, 46:

Appel	Feenstra	Jochum	Rielly
Bartz	Fraise	Johnson	Schmitz
Beall	Gronstal	Kapucian	Schoenjahn
Behn	Hahn	Kettering	Seng
Black	Hamerlinck	Kreiman	Seymour
Boettger	Hancock	McCoy	Sodders
Bolkcom	Hartsuch	McKinley	Stewart
Courtney	Hatch	Noble	Warnstadt
Dandekar	Heckroth	Olive	Wilhelm
Danielson	Hogg	Quirnbach	Zaun
Dearden	Horn	Ragan	
Dotzler	Houser	Reynolds	

Nays, none.

Absent, 4:

Dvorsky	Kibbie	Ward	Wieck
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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 2291, 2297, 2299, 2300, and 2303** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2279, 2273, 2272, 2271, 2270, and 2265.

Senate File 2279

On motion of Senator Courtney, [Senate File 2279](#), a bill for an act extending the voluntary shared unemployment compensation work program for additional weeks, was taken up for consideration.

Senator Courtney offered amendment [S-5077](#), filed by him on February 17, 2010, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment [S-5077](#) was adopted by a voice vote.

Senator Courtney 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. 2279](#)), the vote was:

Yeas, 46:

Appel	Feenstra	Jochum	Rielly
Bartz	Fraise	Johnson	Schmitz
Beall	Gronstal	Kapucian	Schoenjahn
Behn	Hahn	Kettering	Seng
Black	Hamerlinck	Kreiman	Seymour
Boettger	Hancock	McCoy	Sodders
Bolkcom	Hartsuch	McKinley	Stewart
Courtney	Hatch	Noble	Warnstadt
Dandekar	Heckroth	Olive	Wilhelm
Danielson	Hogg	Quirnbach	Zaun
Dearden	Horn	Ragan	
Dotzler	Houser	Reynolds	

Nays, none.

Absent, 4:

Dvorsky	Kibbie	Ward	Wieck
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

Senate File 2273

On motion of Senator Warnstadt, [Senate File 2273](#), a bill for an act relating to a study regarding implementation of electronic registration and titling of vehicles, was taken up for consideration.

Senator Warnstadt offered amendment [S-5079](#), filed by him on February 17, 2010, amending the title page of the bill, and moved its adoption.

Amendment [S-5079](#) was adopted by a voice vote.

Senator Warnstadt 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. 2273](#)), the vote was:

Yeas, 46:

Appel	Feenstra	Jochum	Rielly
Bartz	Fraise	Johnson	Schmitz
Beall	Gronstal	Kapucian	Schoenjahn
Behn	Hahn	Kettering	Seng
Black	Hamerlinck	Kreiman	Seymour
Boettger	Hancock	McCoy	Sodders
Bolkcom	Hartsuch	McKinley	Stewart
Courtney	Hatch	Noble	Warnstadt
Dandekar	Heckroth	Olive	Wilhelm
Danielson	Hogg	Quirnbach	Zaun
Dearden	Horn	Ragan	
Dotzler	Houser	Reynolds	

Nays, none.

Absent, 4:

Dvorsky	Kibbie	Ward	Wieck
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

Senate File 2272

On motion of Senator Heckroth, **Senate File 2272**, a bill for an act relating to the Iowa life and health insurance guaranty association regarding coverage, benefits, duties, powers, rights, the operation of the Iowa life and health insurance guaranty association, and the coordination of coverage and benefits with those of similar associations of other states, and to the Iowa insurance guaranty association with respect to covered claims, benefits, limitations, duties, and powers of the Iowa insurance guaranty association, and coordination and cooperation by it with similar associations of other states, was taken up for consideration.

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

On the question "Shall the bill pass?" (**S.F. 2272**), the vote was:

Yeas, 46:

Appel	Feenstra	Jochum	Rielly
Bartz	Fraise	Johnson	Schmitz
Beall	Gronstal	Kapucian	Schoenjahn
Behn	Hahn	Kettering	Seng
Black	Hamerlinck	Kreiman	Seymour
Boettger	Hancock	McCoy	Sodders
Bolkcom	Hartsuch	McKinley	Stewart
Courtney	Hatch	Noble	Warnstadt
Dandekar	Heckroth	Olive	Wilhelm
Danielson	Hogg	Quirnbach	Zaun
Dearden	Horn	Ragan	
Dotzler	Houser	Reynolds	

Nays, none.

Absent, 4:

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

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Dandekar and McCoy, until they return, on request of Senator Beall.

[Senate File 2271](#)

On motion of Senator Schoenjahn, [Senate File 2271](#), a bill for an act providing for the severance and annexation of real property upon petition of the real property owners and approval of the city development board, was taken up for consideration.

Senator Schoenjahn asked and received unanimous consent that action on [Senate File 2271](#) be **deferred**.

[Senate File 2270](#)

On motion of Senator Jochum, [Senate File 2270](#), a bill for an act relating to workplace accommodations for employees who express breast milk, was taken up for consideration.

Senator Jochum 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. 2270](#)), the vote was:

Yeas, 29:

Appel	Fraise	Jochum	Seng
Beall	Gronstal	Kreiman	Sodders
Black	Hamerlinck	Olive	Stewart
Bolkcom	Hancock	Quirnbach	Warnstadt
Courtney	Hatch	Ragan	Wilhelm
Danielson	Heckroth	Rielly	
Dearden	Hogg	Schmitz	
Dotzler	Horn	Schoenjahn	

Nays, 15:

Bartz	Hahn	Kapucian	Reynolds
Behn	Hartsuch	Kettering	Seymour
Boettger	Houser	McKinley	Zaun
Feenstra	Johnson	Noble	

Absent, 6:

Dandekar	Kibbie	Ward
Dvorsky	McCoy	Wieck

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

BUSINESS PENDING

[Senate File 2271](#)

The Senate resumed consideration of [Senate File 2271](#), a bill for an act providing for the severance and annexation of real property upon petition of the real property owners and approval of the city development board, previously deferred.

Senator Schoenjahn asked and received unanimous consent that [House File 2376](#) be **substituted** for [Senate File 2271](#).

[House File 2376](#)

On motion of Senator Schoenjahn, [House File 2376](#), a bill for an act providing for the severance and annexation of real property upon petition of the real property owners and approval of the city development board, was taken up for consideration.

Senator Hamerlinck offered amendment [S-5089](#), filed by him on February 17, 2010, to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-5089](#) be adopted?" ([H.F. 2376](#)), the vote was:

Yeas, 16:

Bartz	Hahn	Johnson	Reynolds
Behn	Hartsuch	Kapucian	Seng
Boettger	Hatch	McKinley	Seymour
Feenstra	Houser	Noble	Zaun

Nays, 30:

Appel	Dvorsky	Jochum	Schmitz
Beall	Fraise	Kettering	Schoenjahn
Black	Gronstal	Kibbie	Sodders
Bolkcom	Hamerlinck	Kreiman	Stewart
Courtney	Hancock	Olive	Warnstadt
Danielson	Heckroth	Quirnbach	Wilhelm
Dearden	Hogg	Ragan	
Dotzler	Horn	Rielly	

Absent, 4:

Dandekar	McCoy	Ward	Wieck
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Amendment [S-5089](#) lost.

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

On the question "Shall the bill pass?" ([H.F. 2376](#)), the vote was:

Yeas, 35:

Appel	Dvorsky	Horn	Rielly
Bartz	Fraise	Jochum	Schmitz
Beall	Gronstal	Kettering	Schoenjahn
Black	Hamerlinck	Kibbie	Seng
Bolkcom	Hancock	Kreiman	Sodders
Courtney	Hartsuch	McKinley	Stewart
Danielson	Hatch	Olive	Warnstadt
Dearden	Heckroth	Quirnbach	Wilhelm
Dotzler	Hogg	Ragan	

Nays, 11:

Behn	Hahn	Kapucian	Seymour
Boettger	Houser	Noble	Zaun
Feenstra	Johnson	Reynolds	

Absent, 4:

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

WITHDRAWN

Senator Schoenjahn asked and received unanimous consent that [Senate File 2271](#) be **withdrawn** from further consideration of the Senate.

[Senate File 2265](#)

On motion of Senator Heckroth, [Senate File 2265](#), a bill for an act establishing smart planning principles, establishing guidelines for the adoption of certain comprehensive plans and land development regulations, and providing for the establishment of a smart planning task force, was taken up for consideration.

Senator Heckroth offered amendment [S-5087](#), filed by him on February 17, 2010, to pages 2 and 17 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-5087](#) be adopted?" ([S.F. 2265](#)), the vote was:

Yeas, 30:

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

Nays, 16:

Bartz	Hahn	Johnson	Noble
Behn	Hamerlinck	Kapucian	Reynolds
Boettger	Hartsuch	Kettering	Seymour
Feenstra	Houser	McKinley	Zaun

Absent, 4:

Dandekar	McCoy	Ward	Wieck
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Amendment [S-5087](#) was adopted.

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

On the question "Shall the bill pass?" ([S.F. 2265](#)), the vote was:

Yeas, 39:

Appel	Dvorsky	Kapucian	Schmitz
Bartz	Fraise	Kibbie	Schoenjahn
Beall	Gronstal	Kreiman	Seng
Black	Hancock	McKinley	Seymour
Boettger	Hatch	Noble	Sodders
Bolkcom	Heckroth	Olive	Stewart
Courtney	Hogg	Quirnbach	Warnstadt
Danielson	Horn	Ragan	Wilhelm
Dearden	Houser	Reynolds	Zaun
Dotzler	Jochum	Rielly	

Nays, 7:

Behn	Hahn	Hartsuch	Kettering
Feenstra	Hamerlinck	Johnson	

Absent, 4:

Dandekar	McCoy	Ward	Wieck
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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 2265, 2270, 2272, 2273, and 2279** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2248, 2250, 2236, and 2222.

Senate File 2248

On motion of Senator Rielly, [Senate File 2248](#), a bill for an act relating to permits issued under the national pollutant discharge elimination system, and making penalties applicable, was taken up for consideration.

Senator Rielly 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. 2248](#)), the vote was:

Yeas, 46:

Appel	Feenstra	Jochum	Rielly
Bartz	Fraise	Johnson	Schmitz
Beall	Gronstal	Kapucian	Schoenjahn
Behn	Hahn	Kettering	Seng
Black	Hamerlinck	Kibbie	Seymour
Boettger	Hancock	Kreiman	Sodders
Bolkcom	Hartsuch	McKinley	Stewart
Courtney	Hatch	Noble	Warnstadt
Danielson	Heckroth	Olive	Wilhelm
Dearden	Hogg	Quirnbach	Zaun
Dotzler	Horn	Ragan	
Dvorsky	Houser	Reynolds	

Nays, none.

Absent, 4:

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

Senate File 2250

On motion of Senator Kreiman, [Senate File 2250](#), a bill for an act creating the criminal offense of robbery in the third degree, and providing a penalty, was taken up for consideration.

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

On the question “Shall the bill pass?” ([S.F. 2250](#)), the vote was:

Yeas, 46:

Appel	Feenstra	Jochum	Rielly
Bartz	Fraise	Johnson	Schmitz
Beall	Gronstal	Kapucian	Schoenjahn
Behn	Hahn	Kettering	Seng
Black	Hamerlinck	Kibbie	Seymour
Boettger	Hancock	Kreiman	Sodders
Bolkcom	Hartsuch	McKinley	Stewart
Courtney	Hatch	Noble	Warnstadt
Danielson	Heckroth	Olive	Wilhelm
Dearden	Hogg	Quirnbach	Zaun
Dotzler	Horn	Ragan	
Dvorsky	Houser	Reynolds	

Nays, none.

Absent, 4:

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

[Senate File 2236](#)

On motion of Senator Heckroth, [Senate File 2236](#), a bill for an act relating to economic development by establishing an Iowa innovation council in the department of economic development and by providing for certain reports on innovation and commercialization within certain targeted industries, was taken up for consideration.

Senator Heckroth offered amendment [S-5059](#), filed by him on February 15, 2010, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment [S-5059](#) was adopted by a voice vote.

Senator Heckroth asked and received unanimous consent that [House File 2076](#) be **substituted** for [Senate File 2236](#).

House File 2076

On motion of Senator Heckroth, [House File 2076](#), a bill for an act relating to economic development by establishing an Iowa innovation council in the department of economic development and by providing for certain reports on innovation and commercialization within certain targeted industries, was taken up for consideration.

Senator Heckroth offered amendment [S-5054](#), filed by him on February 15, 2010, to page 1 of the bill, and moved its adoption.

Amendment [S-5054](#) was adopted by a voice vote.

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

On the question "Shall the bill pass?" ([H.F. 2076](#)), the vote was:

Yeas, 46:

Appel	Feenstra	Jochum	Rielly
Bartz	Fraise	Johnson	Schmitz
Beall	Gronstal	Kapucian	Schoenjahn
Behn	Hahn	Kettering	Seng
Black	Hamerlinck	Kibbie	Seymour
Boettger	Hancock	Kreiman	Sodders
Bolkcom	Hartsuch	McKinley	Stewart
Courtney	Hatch	Noble	Warnstadt
Danielson	Heckroth	Olive	Wilhelm
Dearden	Hogg	Quirnbach	Zaun
Dotzler	Horn	Ragan	
Dvorsky	Houser	Reynolds	

Nays, none.

Absent, 4:

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

WITHDRAWN

Senator Heckroth asked and received unanimous consent that [Senate File 2236](#) be **withdrawn** from further consideration of the Senate.

[Senate File 2222](#)

On motion of Senator Hogg, [Senate File 2222](#), a bill for an act relating to Iowa's uniform disclaimer of property interest Act, was taken up for consideration.

Senator Hogg asked and received unanimous consent that [House File 2253](#) be **substituted** for [Senate File 2222](#).

[House File 2253](#)

On motion of Senator Hogg, [House File 2253](#), a bill for an act relating to Iowa's uniform disclaimer of property interest Act, was taken up for consideration.

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

On the question "Shall the bill pass?" ([H.F. 2253](#)), the vote was:

Yeas, 46:

Appel	Feenstra	Jochum	Rielly
Bartz	Fraise	Johnson	Schmitz
Beall	Gronstal	Kapucian	Schoenjahn
Behn	Hahn	Kettering	Seng
Black	Hamerlinck	Kibbie	Seymour
Boettger	Hancock	Kreiman	Sodders
Bolkcom	Hartsuch	McKinley	Stewart
Courtney	Hatch	Noble	Warnstadt
Danielson	Heckroth	Olive	Wilhelm
Dearden	Hogg	Quirnbach	Zaun
Dotzler	Horn	Ragan	
Dvorsky	Houser	Reynolds	

Nays, none.

Absent, 4:

Dandekar McCoy Ward Wieck

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

WITHDRAWN

Senator Hogg asked and received unanimous consent that [Senate File 2222](#) be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2248** and **2250** and **House Files 2253** and **2076** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 4:36 p.m. until 1:00 p.m., Monday, February 22, 2010.

APPENDIX

COMMUNICATION RECEIVED

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

DEPARTMENT OF HUMAN SERVICES

Assisted Living Service Workgroup Report, pursuant to 2009 Iowa Acts, [HF 317](#). Report received on February 17, 2010.

CERTIFICATES OF RECOGNITION

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

Johanna Van Klompenburg, Orange City—For celebrating her 100th birthday. Senator Feenstra (2/18/10).

Aaron Swailes, Columbus Junction—State Honoree, Prudential Spirit of Community Award. Senator Schmitz (2/18/10).

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: Thursday, February 18, 2010, 1:10 p.m.

Members Present: Dvorsky, Chair; Kettering, Ranking Member; Appel, Bartz, Boettger, Bolkcom, Danielson, Dearden, Dotzler, Feenstra, Fraise, Hahn, Hancock, Hatch, Hogg, Jochum, Johnson, Kapucian, Noble, Ragan, Schoenjahn, Seng, Seymour, and Warnstadt.

Members Absent: McCoy, Vice Chair (excused).

Committee Business: Approved [SSB 3197](#).

Recessed: 1:15 p.m.

Reconvened: 1:45 p.m.

Adjourned: 1:55 p.m.

COMMERCE

Convened: Thursday, February 18, 2010, 11:40 a.m.

Members Present: Warnstadt, Chair; Wieck, Ranking Member; Behn, Bolkcom, Courtney, Hartsuch, Kettering, Olive, Rielly, Schmitz, and Stewart.

Members Absent: Heckroth, Vice Chair; Dandekar, McCoy, and Ward (all excused).

Committee Business: Passed [HF 2111](#).

Adjourned: 11:45 a.m.

GOVERNMENT OVERSIGHT

Convened: Thursday, February 18, 2010, 10:45 a.m.

Members Present: Olive, Chair; Courtney, Vice Chair; and Sadders.

Members Absent: Ward, Ranking Member; and Wieck (both excused).

Committee Business: Presentation by the Iowa Agricultural Development Authority.

Adjourned: 11:05 a.m.

NATURAL RESOURCES

Convened: Thursday, February 18, 2010, 2:00 p.m.

Members Present: Dearden, Chair; Hancock, Vice Chair; Hahn, Ranking Member; Bartz, Black, Bolkcom, Fraise, Johnson, Kettering, Noble, Ragan, Schoenjahn, and Seng.

Members Absent: None.

Committee Business: Passed [HF 2200](#), as amended.

Adjourned: 2:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: Thursday, February 18, 2010, 10:45 a.m.

Members Present: Dotzler, Chair; Heckroth, Vice Chair; Kapucian, Ranking Member; and Dandekar.

Members Absent: Reynolds (excused).

Committee Business: Presentation by the Small Business Development Center.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Wednesday, February 17, 2010, 10:15 a.m.

Members Present: Schoenjahn, Chair; Quirnbach, Vice Chair; Boettger, Ranking Member; Feenstra and Horn.

Members Absent: None.

Committee Business: General discussion.

Adjourned: 10:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Thursday, February 18, 2010, 10:45 a.m.

Members Present: Hancock, Chair; Hogg, Vice Chair; Noble, Ranking Member; Fraise and Zaun.

Members Absent: None.

Committee Business: Presentations by the Department of Justice, the Drug Courts, and the Department of Corrections.

Adjourned: 12:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: Thursday, February 18, 2010, 10:45 a.m.

Members Present: McCoy, Chair; and Warnstadt, Vice Chair.

Members Absent: Seymour, Ranking Member; Beall and Hamerlinck (all excused).

Committee Business: Presentation by the Department of Administrative Services.

Adjourned: 11:45 a.m.

INTRODUCTION OF BILLS

[Senate File 2362](#), by Johnson, a bill for an act requiring the commissioner of insurance to certify certain health insurance policies, contracts, or plans that promote healthy lifestyles, providing for premium credits, and including applicability provisions.

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

[Senate File 2363](#), by committee on Ways and Means, a bill for an act relating to the technical administration of the tax and related laws by the department of revenue, including administration of income taxes, moneys and credits tax, insurance premiums tax, sales and use taxes, fees for new vehicle registration, franchise fees, and the environmental protection charge, making penalties applicable, and including retroactive applicability provisions.

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

[Senate File 2364](#), by committee on Ways and Means, a bill for an act relating to the income tax checkoff for the child abuse prevention program fund and including retroactive applicability provisions.

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

[Senate File 2365](#), by committee on Ways and Means, a bill for an act providing for the treatment of animals other than agricultural animals, by providing for regulation of commercial establishments, providing for reporting of threatened animals, providing for fees, providing penalties, and including effective date provisions.

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

STUDY BILLS RECEIVED

[SSB 3233](#) **Ways and Means**

Providing for a sales tax exemption for purchases made by a nonprofit blood bank licensed by the federal food and drug administration.

[SSB 3234](#) **Ways and Means**

Relating to the policy administration of the tax and related laws by the department of revenue, including administration of income taxes, sales and use taxes, motor fuel taxes, property taxes, and inheritance taxes, providing for taxpayer information exchanges with the department of workforce development, making penalties applicable, and including effective date and applicability provisions.

SUBCOMMITTEE ASSIGNMENTS

[Senate File 2362](#)

COMMERCE: Rielly, Chair; Warnstadt and Wieck

[House File 2284](#)
(Reassigned)

HUMAN RESOURCES: Bolkom, Chair; Johnson and Wilhelm

[House File 2294](#)

REBUILD IOWA: Appel, Chair; Jochum and Reynolds

[House File 2295](#)

EDUCATION: Schmitz, Chair; Boettger and Wilhelm

[SSB 3233](#)

WAYS AND MEANS: Seng, Chair; Hamerlinck and Stewart

[SSB 3234](#)

WAYS AND MEANS: Jochum, Chair; Bolkcom and Zaun

FINAL COMMITTEE REPORTS OF BILL ACTION

COMMERCE

Bill Title: [HOUSE FILE 2111 \(HSB 524\)](#), a bill for an act providing notification to the department of workforce development by the secretary of state when certain business entities apply for reinstatement after dissolution to ensure certain tax obligations have been fulfilled.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Warnstadt, Wieck, Behn, Bolkcom, Courtney, Hartsuch, Kettering, Olive, Rielly, Schmitz, and Stewart. Nays, none. Absent, 4: Heckroth, Dandekar, McCoy, and Ward.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Bill Title: [HOUSE FILE 2200](#) (formerly [HF 721](#)), a bill for an act relating to the carrying of a gun in or on a vehicle on a public highway and making penalties applicable.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-5095](#).

Final Vote: Ayes, 13: Dearden, Hancock, Hahn, Bartz, Black, Bolkcom, Fraise, Johnson, Kettering, Noble, Ragan, Schoenjahn, and Seng. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: [SENATE FILE 2363 \(SSB 3112\)](#), a bill for an act relating to the technical administration of the tax and related laws by the department of revenue, including administration of income taxes, moneys and credits tax, insurance premiums tax, sales and use taxes, fees for new vehicle registration, franchise fees, and the environmental protection charge, making penalties applicable, and including retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Bolkcom, McCoy, Zaun, Bartz, Dandekar, Dotzler, Feenstra, Hamerlinck, Hogg, Houser, Jochum, Quirnbach, Schmitz, Seng, Stewart, and Wilhelm. Nays, none. Absent, 1: Ward.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 2364](#) (formerly [SF 2082](#)), a bill for an act relating to the income tax checkoff for the child abuse prevention program fund and including retroactive applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Bolkcom, McCoy, Zaun, Bartz, Dandekar, Dotzler, Feenstra, Hamerlinck, Hogg, Houser, Jochum, Quirnbach, Schmitz, Seng, Stewart, and Wilhelm. Nays, none. Absent, 1: Ward.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *[SENATE FILE 2365](#) (formerly [SF 2233](#)), a bill for an act providing for the treatment of animals other than agricultural animals, by providing for regulation of commercial establishments, providing for reporting of threatened animals, providing for fees, providing penalties, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Bolkcom, McCoy, Zaun, Bartz, Dandekar, Dotzler, Feenstra, Hamerlinck, Hogg, Houser, Jochum, Quirnbach, Schmitz, Seng, Stewart, and Wilhelm. Nays, none. Absent, 1: Ward.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on [Senate File 2365](#), and they were attached to the committee report.

MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which [House File 2376](#) passed the Senate on February 18, 2010.

SHAWN HAMERLINCK

BILL ATTACHED

President Kibbie announced that [House File 2280](#) was attached to similar [Senate File 2365](#).

AMENDMENTS FILED

S-5092	S.F. 2355	Shawn Hamerlinck
S-5093	S.F. 2337	Thomas G. Courtney
S-5094	S.F. 2253	Keith A. Kreiman
S-5095	H.F. 2200	Natural Resources
S-5096	S.F. 2316	Robert M. Hogg
S-5097	S.F. 2292	John P. Kibbie