

PROOF

STATE OF IOWA

Senate Journal

WEDNESDAY, FEBRUARY 24, 2010

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JOURNAL OF THE SENATE

FORTY-FIFTH CALENDAR DAY
TWENTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 24, 2010

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

Prayer was offered by the Honorable Daryl Beall, member of the Senate from Webster County, Fort Dodge, Iowa.

The Journal of Tuesday, February 23, 2010, 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 23, 2010, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 2313](#), a bill for an act modifying provisions applicable to the formation and operation of electric power agencies.

[Senate File 2350](#), a bill for an act relating to prohibited contracts and activities for civil service commissioners.

ALSO: That the House has on February 23, 2010, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 2306](#), a bill for an act relating to judicial branch records.

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

[House File 2307](#), a bill for an act providing for restitution for Medicaid expenditures.

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

The Senate stood at ease at 8:53 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:04 a.m., President Kibbie presiding.

RECESS

On motion of Senator Gronstal, the Senate recessed at 10:05 a.m. until 2:30 p.m.

APPENDIX—1

CERTIFICATES OF RECOGNITION

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

Jim and Millie Bell—For celebrating their 65th wedding anniversary. Senator Courtney (2/24/10).

Walter and Marian Brunken—For celebrating their 65th wedding anniversary. Senator Courtney (2/24/10).

Berniece Gerdes, Danville—For celebrating her 90th birthday. Senator Courtney (2/24/10).

Michael and Cynthia Dick—For celebrating their 25th wedding anniversary. Senator Courtney (2/24/10).

Loren May, Burlington—For celebrating his 80th birthday. Senator Courtney (2/24/10).

William and Ardyth Newman—For celebrating their 50th wedding anniversary. Senator Courtney (2/24/10).

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: Tuesday, February 23, 2010, 1:10 p.m.

Members Present: Kreiman, Chair; Hogg, Vice Chair; Kettering, Ranking Member; Boettger, Fraise, Hancock, Horn, Jochum, Noble, Quirmbach, Schoenjahn, Soddors, Ward, Warnstadt, and Zaun.

Members Absent: None.

Committee Business: Passed HFs 426, 726, 2233, 2286, 2287, 2288, 2372, 2374, 2377, and 2392.

Adjourned: 1:45 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Tuesday, February 23, 2010, 10:10 a.m.

Members Present: Danielson, Chair; Jochum, Vice Chair; Bartz, Ranking Member; Behn and Kreiman.

Members Absent: None.

Committee Business: Caucus.

Adjourned: 10:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Wednesday, February 24, 2010, 10:25 a.m.

Members Present: Seng, Chair; Black, Vice Chair; Hahn, Ranking Member; Houser and Wilhelm.

Members Absent: None.

Committee Business: Discussion of budget.

Adjourned: 10:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Wednesday, February 24, 2010, 10:25 a.m.

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

Members Absent: None.

Committee Business: Discussion of FY 2011 budget.

Adjourned: 11:00 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION,
INFRASTRUCTURE, AND CAPITALS**

Convened: Wednesday, February 24, 2010, 10:20 a.m.

Members Present: McCoy, Chair; Warnstadt, Vice Chair; Seymour, Ranking Member; Beall and Hamerlinck.

Members Absent: None.

Committee Business: Discussed transportation appropriations bill.

Adjourned: 10:30 a.m.

SUBCOMMITTEE ASSIGNMENTS

[House File 2144](#)

HUMAN RESOURCES: Wilhelm, Chair; Bartz and Schmitz

[House File 2310](#)

NATURAL RESOURCES: Fraise, Chair; Hahn and Ragan

[House File 2318](#)

LOCAL GOVERNMENT: Beall, Chair; Olive and Reynolds

[House File 2438](#)

JUDICIARY: Kreiman, Chair; Hogg and Ward

[House File 2453](#)

JUDICIARY: Jochum, Chair; Boettger and Sadders

[House File 2458](#)

NATURAL RESOURCES: Schoenjahn, Chair; Noble and Ragan

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on February 23, 2010, the Governor approved and transmitted to the Secretary of State the following bills:

[Senate File 2076](#) – 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.

[Senate File 2117](#) – To allow therapeutically certified optometrists to supply pharmaceutical-delivering contact lenses.

[Senate File 2146](#) – Relating to claims for warranty parts, repairs, or service performed by motor vehicle dealers.

[Senate File 2149](#) – Relating to criminal history and abuse registry checks for employees of health care facilities and other health-related providers and requiring such checks for certified nurse aide training program students and providing a penalty.

AFTERNOON SESSION

The Senate reconvened at 2:46 p.m., President Kibbie presiding.

The Senate stood at ease at 2:47 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:58 p.m., President Kibbie presiding.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2354, 2351, and 2346.

[Senate File 2354](#)

On motion of Senator Danielson, [Senate File 2354](#), a bill for an act relating to campaign finance, including political campaign activities and independent expenditures by corporations, and making penalties applicable, was taken up for consideration.

Senator McKinley asked and received unanimous consent that action on [Senate File 2354](#) be **deferred**.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Kapucian, until he arrives, on request of Senator Kettering; and Senator McCoy, until he arrives, on request of Senator Courtney.

[Senate File 2351](#)

On motion of Senator Kreiman, [Senate File 2351](#), a bill for an act enhancing the penalty for certain domestic abuse assault cases 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. 2351](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Kapucian	McCoy
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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 2346](#)

On motion of Senator Olive, [Senate File 2346](#), a bill for an act relating to certain coverage provisions contained in uninsured and underinsured motor vehicle insurance coverage, was taken up for consideration.

Senator Olive offered amendment [S-5128](#), filed by him from the floor to pages 1 and 2 of the bill, and moved its adoption.

Amendment [S-5128](#) was adopted by a voice vote.

Senator Olive 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. 2346](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Kapucian McCoy

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

UNFINISHED BUSINESS
(Deferred February 23, 2010)

[Senate File 2343](#)

The Senate resumed consideration of [Senate File 2343](#), a bill for an act relating to the appointment of judicial officers and senior judges, deferred February 23, 2010.

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. 2343](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Kapucian McCoy

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 2343, 2346, and 2351** 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 2323, 2321, and 2305.

Senate File 2323

On motion of Senator Dearden, **Senate File 2323**, a bill for an act concerning requirements for granting a new license to conduct gambling games on a gambling boat or structure in a county with an existing gambling boat or structure, was taken up for consideration.

Senator Dearden 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. 2323**), the vote was:

Yeas, 37:

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

Nays, 11:

Bartz	Dandekar	Kettering	Seymour
Behn	Feenstra	McKinley	Zaun
Boettger	Hahn	Reynolds	

Absent, 2:

Kapucian	McCoy
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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 2321](#)

On motion of Senator Danielson, [Senate File 2321](#), a bill for an act prohibiting a person from writing or sending a text message while driving a motor vehicle and providing penalties, was taken up for consideration.

Senator Zaun offered amendment [S-5106](#), filed by Senator Zaun, et al., on February 22, 2010, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-5106](#) be adopted?" ([S.F. 2321](#)), the vote was:

Yeas, 17:

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

Nays, 31:

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

Absent, 2:

Kapucian	McCoy
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Amendment [S-5106](#) lost.

Senator Zaun offered amendment [S-5131](#), filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-5131](#) be adopted?" ([S.F. 2321](#)), the vote was:

Yeas, 20:

Bartz	Hahn	Kettering	Seymour
Behn	Hamerlinck	Kreiman	Sodders
Black	Hartsuch	McKinley	Ward
Boettger	Houser	Noble	Wieck
Feenstra	Johnson	Reynolds	Zaun

Nays, 28:

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

Absent, 2:

Kapucian	McCoy
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Amendment [S-5131](#) lost.

Senator Zaun offered amendment [S-5132](#), filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-5132](#) be adopted?" ([S.F. 2321](#)), the vote was:

Yeas, 16:

Behn	Hamerlinck	Kettering	Sodders
Boettger	Hartsuch	McKinley	Ward
Feenstra	Houser	Reynolds	Wieck
Hahn	Johnson	Seymour	Zaun

Nays, 32:

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

Absent, 2:

Kapucian	McCoy
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Amendment [S-5132](#) lost.

Senator Danielson offered amendment [S-5129](#), filed by him from the floor to pages 1 and 2, and amending the title page of the bill, and moved its adoption.

Amendment [S-5129](#) was adopted by a voice vote.

Senator Appel asked and received unanimous consent to withdraw amendment [S-5086](#), filed by Senators Appel and Heckroth on February 17, 2010, to page 1 and amending the title page of the bill.

Senator Danielson asked and received unanimous consent that [House File 2456](#) be **substituted** for [Senate File 2321](#).

[House File 2456](#)

On motion of Senator Danielson, [House File 2456](#), a bill for an act prohibiting a person from writing or sending a text message while driving a motor vehicle and providing penalties, was taken up for consideration.

Senator Appel offered amendment [S-5133](#), filed by Senators Appel and Heckroth from the floor to page 1 and amending the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-5133](#) be adopted?" ([H.F. 2456](#)), the vote was:

Yeas, 37:

Appel	Dvorsky	Johnson	Seng
Bartz	Feenstra	Kapucian	Seymour
Beall	Fraise	Kettering	Sodders
Behn	Hahn	Kibbie	Stewart
Black	Hartsuch	Kreiman	Ward
Boettger	Hatch	McKinley	Wieck
Bolkcom	Heckroth	Noble	Wilhelm
Courtney	Hogg	Quirnbach	
Dandekar	Houser	Ragan	
Dearden	Jochum	Schmitz	

Nays, 12:

Danielson	Hamerlinck	Olive	Schoenjahn
Dotzler	Hancock	Reynolds	Warnstadt
Gronstal	Horn	Rielly	Zaun

Absent, 1:

McCoy

Amendment [S-5133](#) was adopted.

Senator Jochum withdrew amendment [S-5140](#), filed by her from the floor to pages 1 and 2 of the bill.

Senator Danielson 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. 2456](#)), the vote was:

Yeas, 44:

Appel	Feenstra	Jochum	Rielly
Beall	Fraise	Johnson	Schmitz
Black	Gronstal	Kapucian	Schoenjahn
Boettger	Hahn	Kettering	Seng
Bolkcom	Hamerlinck	Kibbie	Seymour
Courtney	Hancock	Kreiman	Sodders
Dandekar	Hatch	McCoy	Stewart
Danielson	Heckroth	Noble	Ward

Dearden	Hogg	Olive	Warnstadt
Dotzler	Horn	Quirnbach	Wieck
Dvorsky	Houser	Ragan	Wilhelm

Nays, 6:

Bartz	Hartsuch	Reynolds
Behn	McKinley	Zaun

Absent, none.

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

[Senate File 2305](#)

On motion of Senator Kreiman, [Senate File 2305](#), a bill for an act modifying sex offender registry provisions, and providing penalties and including effective date provisions, was taken up for consideration.

Senator Kreiman offered amendment [S-5134](#), filed by him from the floor to pages 1–3 of the bill, and moved its adoption.

Amendment [S-5134](#) was adopted by a voice vote.

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. 2305](#)), the vote was:

Yeas, 50:

Appel	Feenstra	Johnson	Schmitz
Bartz	Fraise	Kapucian	Schoenjahn
Beall	Gronstal	Kettering	Seng
Behn	Hahn	Kibbie	Seymour
Black	Hamerlinck	Kreiman	Sodders
Boettger	Hancock	McCoy	Stewart
Bolkcom	Hartsuch	McKinley	Ward
Courtney	Hatch	Noble	Warnstadt
Dandekar	Heckroth	Olive	Wieck
Danielson	Hogg	Quirnbach	Wilhelm

Dearden	Horn	Ragan	Zaun
Dotzler	Houser	Reynolds	
Dvorsky	Jochum	Rielly	

Nays, none.

Absent, none.

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

WITHDRAWN

Senator Danielson asked and received unanimous consent that [Senate File 2321](#) be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2305 and 2323** and [House File 2456](#) be **immediately messaged** to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2234](#).

[Senate File 2234](#)

On motion of Senator Dandekar, [Senate File 2234](#), a bill for an act relating to the regulation of motor vehicle franchises, was taken up for consideration.

Senator Dandekar withdrew amendment [S-5098](#), filed by her on February 22, 2010, to page 1 of the bill.

Senator Dandekar withdrew amendment [S-5121](#), filed by her on February 23, 2010, to pages 1 and 2 of the bill.

Senator Dandekar offered amendment [S-5130](#), filed by her from the floor to pages 1 and 2 of the bill, and moved its adoption.

Amendment [S-5130](#) was adopted by a voice vote.

Senator Dandekar 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. 2234](#)), the vote was:

Yeas, 50:

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

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [Senate File 2234](#) be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 6:10 p.m. until 9:00 a.m., Thursday, February 25, 2010.

APPENDIX—2**CERTIFICATES OF RECOGNITION**

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

Waverly-Shell Rock High School Wrestling Team—For winning their third consecutive Iowa Class 3-A Team State Championship. Senator Heckroth (2/24/10).

Denver-Tripoli High School Wrestling Team—For winning the Iowa Class 2-A Team State Championship. Senator Heckroth (2/24/10).

Eric DeVos, Waverly-Shell Rock High School—For winning the Class 3-A, 119 pound, Iowa State Wrestling Tournament Championship. Senator Heckroth (2/24/10).

Jake Ballweg, Waverly-Shell Rock High School—For winning the Class 3-A, 140 pound, Iowa State Wrestling Tournament Championship and his third State Championship of his high school wrestling career. Senator Heckroth (2/24/10).

Cody Caldwell, Waverly-Shell Rock High School—For winning the Class 3-A, 145 pound, Iowa State Wrestling Tournament Championship and his second State Championship of his high school wrestling career. Senator Heckroth (2/24/10).

Cody Krumwiede, Waverly-Shell Rock High School—For winning the Class 3-A, 215 pound, Iowa State Wrestling Tournament Championship and his second State Championship of his high school wrestling career. Senator Heckroth (2/24/10).

Dylan Peters, Denver-Tripoli High School—For winning the Class 2-A, 103 pound, Iowa State Wrestling Tournament Championship by pinning all four of his opponents. Senator Heckroth (2/24/10).

Levi Wolfensperger, Denver-Tripoli High School—For winning the Class 2-A, 125 pound, Iowa State Wrestling Tournament Championship and his second State Championship of his high school wrestling career. Senator Heckroth (2/24/10).

Gunnar Wolfensperger, Denver-Tripoli High School—For winning the Class 2-A, 112 pound, Iowa State Wrestling Tournament Championship. Senator Heckroth (2/24/10).

Brandon Sorensen, Denver-Tripoli High School—For winning the Class 2-A, 119 pound, Iowa State Wrestling Tournament Championship. Senator Heckroth (2/24/10).

Caleb Wilken, Nashua-Plainfield High School—For winning the Class 1-A, heavyweight, Iowa State Wrestling Tournament Championship. Senator Heckroth (2/24/10).

Jordan Rinken, Waverly-Shell Rock High School—For finishing second in the Class 3-A, 130 pound, Iowa State Wrestling Tournament Championship. Senator Heckroth (2/24/10).

Jordan Simon, Aplington-Parkersburg High School—For finishing second in the Class 1-A, 215 pound, Iowa State Wrestling Tournament Championship. Senator Heckroth (2/24/10).

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: Wednesday, February 24, 2010, 1:20 p.m.

Members Present: Ragan, Chair; Schmitz, Vice Chair; Hartsuch, Ranking Member; Bartz, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Quirmbach, Seymour, and Wilhelm.

Members Absent: None.

Committee Business: Passed HF's 2283, 2284, and 2403.

Adjourned: 1:30 p.m.

LOCAL GOVERNMENT

Convened: Wednesday, February 24, 2010, 1:40 p.m.

Members Present: Quirmbach, Chair; Beall, Vice Chair; Reynolds, Ranking Member; Hamerlinck, Houser, Olive, Rielly, and Schoenjahn.

Members Absent: Kapucian, Kreiman, and McCoy (all excused).

Committee Business: Passed [HF 2318](#).

Adjourned: 1:45 p.m.

VETERANS AFFAIRS

Convened: Wednesday, February 24, 2010, 2:15 p.m.

Members Present: Beall, Chair; Warnstadt, Vice Chair; Seymour, Ranking Member; Black, Danielson, Hartsuch, Kibbie, Noble, Ragan, and Soddors.

Members Absent: Wieck (excused).

Committee Business: Passed HF's 2110, 2197, and 2454.

Adjourned: 2:30 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: Wednesday, February 24, 2010, 10:20 a.m.

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

Members Absent: None.

Committee Business: Discussed proposed budget for economic development appropriations

Adjourned: 11:05 a.m.

FINAL COMMITTEE REPORTS OF BILL ACTION

HUMAN RESOURCES

Bill Title: [HOUSE FILE 2283](#) (formerly [HF 2056](#)), a bill for an act relating to the requirements for national criminal history record checks for child care providers.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Ragan, Schmitz, Hartsuch, Bartz, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Quirnbach, Seymour, and Wilhelm. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2284 \(HSB 571\)](#), a bill for an act relating to various activities regulated and programs administered by the department of public health, including fetal death certification, and optometry, cosmetology, and barbering licensure, and including effective date provisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-5143](#).

Final Vote: Ayes, 13: Ragan, Schmitz, Hartsuch, Bartz, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Quirnbach, Seymour, and Wilhelm. Nays, none. Absent, none.

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 Human Resources Committee on [House File 2284](#), and they were attached to the committee report.

ALSO:

Bill Title: [HOUSE FILE 2403 \(HSB 626\)](#), a bill for an act making changes to the uniform controlled substances Act.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Ragan, Schmitz, Hartsuch, Bartz, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Quirmbach, Seymour, and Wilhelm. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Bill Title: [HOUSE FILE 2318](#) (formerly [HF 2041](#)), a bill for an act relating to the length of terms and the limitation on length of service for city development board members and including effective date and applicability provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Quirmbach, Beall, Reynolds, Hamerlinck, Olive, Rielly, and Schoenjahn. Nays, 1: Houser. Absent, 3: Kapucian, Kreiman, and McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

VETERANS AFFAIRS

Bill Title: [HOUSE FILE 2110](#) ([HSB 538](#)), a bill for an act relating to unemployment insurance benefits for spouses who leave employment to accompany a spouse on a military assignment.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Beall, Warnstadt, Black, Danielson, Hartsuch, Kibbie, Ragan, and Soddors. Nays, 2: Seymour and Noble. Absent, 1: Wieck.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2197](#) ([HSB 583](#)), a bill for an act providing veterans a holiday for veterans day and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Beall, Warnstadt, Black, Danielson, Ragan, and Soddors. Nays, 3: Seymour, Hartsuch, and Noble. Absent, 2: Kibbie and Wieck.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2454](#) (formerly [HF 2202](#)), a bill for an act providing for the development of programs to attract qualified disabled veterans for job opportunities in state government.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Beall, Warnstadt, Seymour, Black, Danielson, Hartsuch, Noble, Ragan, and Sodders. Nays, none. Absent, 2: Kibbie and Wieck.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on February 18, 2010, when the vote was taken on Senate Files 2150, 2270, 2272, 2273, 2279, 2291, 2297, 2299, 2300, 2303, 2304, and 2340. Had I been present, I would have voted "Aye."

JOHN P. KIBBIE

BILLS ASSIGNED TO COMMITTEE

President Kibbie announced the assignment of the following bills to committees:

H.F. 2144	Human Resources
H.F. 2318	Local Government
H.F. 2321	Veterans Affairs
H.F. 2414	Veterans Affairs
H.F. 2418	Environment and Energy Independence
H.F. 2432	Education
H.F. 2437	Environment and Energy Independence
H.F. 2440	Education
H.F. 2453	Judiciary

AMENDMENTS FILED

S-5128	S.F. 2346	Rich Olive
S-5129	S.F. 2321	Jeff Danielson
S-5130	S.F. 2234	Swati A. Dandekar
S-5131	S.F. 2321	Brad Zaun
S-5132	S.F. 2321	Brad Zaun
S-5133	H.F. 2456	Staci Appel Bill Heckroth
S-5134	S.F. 2305	Keith A. Kreiman
S-5135	S.F. 2354	Jeff Danielson
S-5136	S.F. 2366	Robert E. Dvorsky
S-5137	S.F. 2316	Robert M. Hogg
S-5138	S.F. 2354	Jeff Danielson

<u>S-5139</u>	<u>H.F. 758</u>	David Hartsuch
<u>S-5140</u>	<u>H.F. 2456</u>	Pam Jochum
<u>S-5141</u>	<u>S.F. 2357</u>	David Hartsuch
		James A. Seymour
		Jerry Behn
		Paul McKinley
		Brad Zaun
		Nancy J. Boettger
		Kim Reynolds
		David Johnson
		Larry Noble
		Pat Ward
		Merlin Bartz
		James F. Hahn
<u>S-5142</u>	<u>S.F. 2357</u>	David Hartsuch
		James A. Seymour
		Jerry Behn
		Paul McKinley
		Brad Zaun
		Nancy J. Boettger
		Kim Reynolds
		David Johnson
		Steve Kettering
		James F. Hahn
<u>S-5143</u>	<u>H.F. 2284</u>	Human Resources
<u>S-5144</u>	<u>S.F. 2357</u>	David Hartsuch
<u>S-5145</u>	<u>H.F. 2197</u>	Steven J. Sodders