

PROOF

STATE OF IOWA

Senate Journal

MONDAY, MARCH 8, 2010

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JOURNAL OF THE SENATE

FIFTY-SEVENTH CALENDAR DAY
THIRTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 8, 2010

The Senate met in regular session at 1:34 p.m., President Kibbie presiding.

Prayer was offered by Reverend Doug Peters, pastor of the Walnut Hills United Methodist Church in Urbandale, Iowa. He was the guest of Senators Dvorsky and Zaub.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Vanessa Shirley.

The Journal of Thursday, March 4, 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 March 3, 2010, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 2477](#), a bill for an act relating to mechanics' liens including the establishment of a state construction registry for residential construction property and providing an effective date.

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

[House File 2499](#), a bill for an act relating to veterans records by requiring county recorders to provide copies of certain records to the department of veterans affairs and the county commission of veterans affairs and by requiring the department of veterans affairs to provide

copies of certain discharge documents to the county commissions of veteran affairs.

Read first time and referred to committee on **Veterans Affairs**.

INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced Jack P. Ketterer, the governor's appointee to be the Administrator of the State Racing and Gaming Commission. He was the guest of Senator Appel and the committee on State Government.

RECESS

On motion of Senator Gronstal, the Senate recessed at 1:53 p.m. until fall of the gavel.

RECONVENED

The Senate reconvened at 2:10 p.m., President Kibbie presiding.

The Senate stood at ease at 2:12 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:40 p.m., President Kibbie presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Schoenjahn, for the day, on request of Senator Bolkom.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2363](#).

[Senate File 2363](#)

On motion of Senator Jochum, [Senate File 2363](#), 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, 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. 2363](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Schoenjahn

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

CONSIDERATION OF BILL
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2314](#).

[Senate File 2314](#)

On motion of Senator Hancock, [Senate File 2314](#), a bill for an act modifying provisions applicable to electric generating and transmission facilities, was taken up for consideration.

Senator Hancock offered amendment [S-5191](#), 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.

Amendment [S-5191](#) was adopted by a voice vote.

Senator Hancock asked and received unanimous consent that [House File 2399](#) be **substituted** for [Senate File 2314](#).

[House File 2399](#)

On motion of Senator Hancock, [House File 2399](#), a bill for an act modifying provisions applicable to electric generating and transmission facilities, was taken up for consideration.

Senator Hogg asked and received unanimous consent that action on [House File 2399](#) be **deferred**.

HOUSE AMENDMENT CONSIDERED

[Senate File 434](#)

Senator Quirnbach called up for consideration [Senate File 434](#), a bill for an act relating to nuisance properties by requiring the indexing of certain municipal citations and petitions affecting real property, amended by the House in House amendment [S-5044](#), filed February 1, 2010.

Senator Quirnbach 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 Quirnbach 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 a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 434](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Schoenjahn

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 434** and **2363** 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 2284 and 2251.

Senate File 2284

On motion of Senator Beall, **Senate File 2284**, a bill for an act relating to the encouragement and assistance of businesses owned by disabled veterans, was taken up for consideration.

Senator Beall offered amendment **S-5193**, filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment **S-5193** was adopted by a voice vote.

Senator Beall asked and received unanimous consent that **House File 2449** be **substituted** for **Senate File 2284**.

House File 2449

On motion of Senator Beall, **House File 2449**, a bill for an act relating to the encouragement and assistance of businesses owned by disabled veterans, was taken up for consideration.

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

On the question "Shall the bill pass?" (**H.F. 2449**), the vote was:

Yeas, 49:

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

Dearden	Horn	Ragan
Dotzler	Houser	Reynolds
Dvorsky	Jochum	Rielly

Nays, none.

Absent, 1:

Schoenjahn

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

WITHDRAWN

Senator Beall asked and received unanimous consent that [Senate File 2284](#) be **withdrawn** from further consideration of the Senate.

[Senate File 2251](#)

On motion of Senator Soddors, [Senate File 2251](#), a bill for an act relating to driver's license sanctions, including the issuance of temporary restricted licenses and certain requirements relating to ignition interlock devices, and providing penalties, was taken up for consideration.

Senator Soddors offered amendment [S-5190](#), filed by him from the floor to pages 1, 3, and 5-11 of the bill, and moved its adoption.

Amendment [S-5190](#) was adopted by a voice vote.

Senator Soddors asked and received unanimous consent that [House File 2452](#) be **substituted** for [Senate File 2251](#).

[House File 2452](#)

On motion of Senator Soddors, [House File 2452](#), a bill for an act relating to driver's license sanctions, including the issuance of temporary restricted licenses and certain requirements relating to ignition interlock devices, and providing penalties, 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?" ([H.F. 2452](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Schoenjahn

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

WITHDRAWN

Senator Sodders asked and received unanimous consent that [Senate File 2251](#) be **withdrawn** from further consideration of the Senate.

HOUSE AMENDMENT CONSIDERED

[Senate File 2067](#)

Senator Horn called up for consideration [Senate File 2067](#), a bill for an act relating to ethics regulations for the executive branch, legislative branch, and local officials and employees and including effective date provisions, amended by the House in House amendment [S-5162](#), filed February 25, 2010.

Senator Horn 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 Horn 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 a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2067](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Schoenjahn

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

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 788 and 755.

House File 788

On motion of Senator McCoy, [House File 788](#), a bill for an act concerning alcohol beverage control, relating to minors and public intoxication or possession of alcohol and prohibiting certain liquor control, wine, or beer licensees or permittees from knowingly permitting or engaging in criminal activity in areas adjacent to the licensed premises and making penalties applicable, with report of committee recommending amendment and passage, was taken up for consideration.

Senator McCoy offered amendment [S-5179](#), filed by the committee on Commerce on March 2, 2010, to page 4 of the bill, and moved its adoption.

Amendment [S-5179](#) was adopted by a voice vote.

With the adoption of amendment [S-5179](#), the Chair ruled amendment [S-3231](#), filed by Senator Dotzler on April 8, 2009, to page 4 of the bill, out of order.

Senator McCoy offered amendment [S-5192](#), filed by him from the floor to page 5 of the bill, and moved its adoption.

Amendment [S-5192](#) was adopted by a voice vote.

Senator McCoy 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. 788](#)), the vote was:

Yeas, 32:

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

Nays, 17:

Bartz	Hartsuch	Kreiman	Sodders
Behn	Houser	McKinley	Wieck
Boettger	Johnson	Noble	
Feenstra	Kapucian	Reynolds	
Hahn	Kettering	Seymour	

Absent, 1:

Schoenjahn

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

[House File 755](#)

On motion of Senator Ragan, [House File 755](#), a bill for an act concerning eligibility for the injured veterans grant program, with report of committee recommending passage, was taken up for consideration.

Senator Ragan 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. 755](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Schoenjahn

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 2067](#) and **House Files 755, 788, 2449, and 2452** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 734, 681, 2287, 2286, 2283, and 2273.

[House File 734](#)

On motion of Senator Jochum, [House File 734](#), a bill for an act relating to the uniform adult guardianship and protective proceedings Act relating to the establishment, transfer, and recognition of guardianships and conservatorships in multistate cases, and including effective date and applicability provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Jochum offered amendment [S-5010](#), filed by the committee on Judiciary on January 19, 2010, to pages 1 and 15 of the bill, and moved its adoption.

Amendment [S-5010](#) was adopted by a voice vote.

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?" ([H.F. 734](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Schoenjahn

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

WITHDRAWN

Senator Jochum asked and received unanimous consent that [Senate File 444](#) be **withdrawn** from further consideration of the Senate.

[House File 681](#)

On motion of Senator Dotzler, [House File 681](#), a bill for an act requiring employers to provide notice of business closings and mass layoffs and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Dotzler asked and received unanimous consent that action on [House File 681](#) be **deferred**.

[House File 2287](#)

On motion of Senator Kreiman, [House File 2287](#), a bill for an act relating to the criminal offense of simulated public intoxication, with report of committee recommending passage, 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?" ([H.F. 2287](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Schoenjahn

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

[House File 2286](#)

On motion of Senator Kreiman, [House File 2286](#), A bill for an act relating to the criminal offense of detention in a brothel, with report of committee recommending passage, 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?" ([H.F. 2286](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Schoenjahn

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

[House File 2283](#)

On motion of Senator Wilhelm, [House File 2283](#), a bill for an act relating to the requirements for national criminal history record checks for child care providers, with report of committee recommending passage, was taken up for consideration.

Senator Wilhelm 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. 2283](#)), the vote was:

Yeas, 49:

Appel	Feenstra	Johnson	Schmitz
Bartz	Fraise	Kapucian	Seng
Beall	Gronstal	Kettering	Seymour

Behn	Hahn	Kibbie	Sodders
Black	Hamerlinck	Kreiman	Stewart
Boettger	Hancock	McCoy	Ward
Bolkcom	Hartsuch	McKinley	Warnstadt
Courtney	Hatch	Noble	Wieck
Dandekar	Heckroth	Olive	Wilhelm
Danielson	Hogg	Quirnbach	Zaun
Dearden	Horn	Ragan	
Dotzler	Houser	Reynolds	
Dvorsky	Jochum	Rielly	

Nays, none.

Absent, 1:

Schoenjahn

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

[House File 2273](#)

On motion of Senator Fraise, [House File 2273](#), a bill for an act relating to drainage districts, by modifying the amount of a bid security required to be submitted by bidders proposing to make improvements and modifying the threshold amount requiring the letting of bids to construct an improvement, and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" ([H.F. 2273](#)), the vote was:

Yeas, 49:

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

Danielson	Hogg	Quirnbach	Zaun
Dearden	Horn	Ragan	
Dotzler	Houser	Reynolds	
Dvorsky	Jochum	Rielly	

Nays, none.

Absent, 1:

Schoenjahn

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 734, 2273, 2283, 2286, and 2287** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 2284, 2111, 2110, 2233, 2200, and 2197.

[House File 2284](#)

On motion of Senator Bolkcom, [House File 2284](#), 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, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Bolkcom offered amendment [S-5143](#), filed by the committee on Human Resources on February 24, 2010, to pages 1 and 4-6, and amending the title page of the bill.

Senator Bolkcom offered amendment [S-5199](#), filed by him from the floor to page 1 of amendment [S-5143](#), and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5199](#) to amendment [S-5143](#) be adopted?” ([H.F. 2284](#)), the vote was:

Yeas, 26:

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

Nays, 23:

Bartz	Hancock	Kettering	Sodders
Behn	Hartsuch	Kreiman	Ward
Boettger	Heckroth	McKinley	Wieck
Feenstra	Houser	Noble	Wilhelm
Hahn	Johnson	Reynolds	Zaun
Hamerlinck	Kapucian	Seymour	

Absent, 1:

Schoenjahn

Amendment [S-5199](#) was adopted.

Senator Bolkcom moved the adoption of amendment [S-5143](#), as amended.

Amendment [S-5143](#), as amended, was adopted by a voice vote.

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

On the question “Shall the bill pass?” ([H.F. 2284](#)), the vote was:

Yeas, 30:

Appel	Dearden	Horn	Seng
Beall	Dotzler	Jochum	Sodders
Black	Dvorsky	Kibbie	Stewart
Boettger	Fraise	McCoy	Ward
Bolkcom	Gronstal	Quirnbach	Warnstadt
Courtney	Hatch	Ragan	Wilhelm
Dandekar	Heckroth	Rielly	
Danielson	Hogg	Schmitz	

Nays, 19:

Bartz	Hancock	Kettering	Reynolds
Behn	Hartsuch	Kreiman	Seymour
Feenstra	Houser	McKinley	Wieck
Hahn	Johnson	Noble	Zaun
Hamerlinck	Kapucian	Olive	

Absent, 1:

Schoenjahn

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

[House File 2111](#)

On motion of Senator Bolkcom, [House File 2111](#), 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, with report of committee recommending passage, was taken up for consideration.

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

On the question “Shall the bill pass?” ([H.F. 2111](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Schoenjahn

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

[House File 2110](#)

On motion of Senator Warnstadt, [House File 2110](#), a bill for an act relating to unemployment insurance benefits for spouses who leave employment to accompany a spouse on a military assignment, with report of committee recommending passage, was taken up for consideration.

Senator Ward asked and received unanimous consent that action on [House File 2110](#) be **deferred**.

[House File 2233](#)

On motion of Senator Kreiman, [House File 2233](#), a bill for an act relating to expunging the conviction for certain alcohol-related offenses, with report of committee recommending passage, was taken up for consideration.

Senator Kreiman asked and received unanimous consent that action on [House File 2233](#) be **deferred**.

[House File 2200](#)

On motion of Senator Black, [House File 2200](#), 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, with report of committee recommending passage, was taken up for consideration.

Senator Black offered amendment [S-5095](#), filed by the committee on Natural Resources on February 18, 2010, to page 1 of the bill, and moved its adoption.

Amendment [S-5095](#) was adopted by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

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

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

On the question "Shall the bill pass?" ([H.F. 2200](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Schoenjahn Zaun

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

[House File 2197](#)

On motion of Senator Sodders, [House File 2197](#), a bill for an act providing veterans a holiday for veterans day and making penalties applicable, with report of committee recommending passage, was taken up for consideration.

Senator Sodders offered amendment [S-5145](#), filed by him on February 24, 2010, to page 1 of the bill, and moved its adoption.

Amendment [S-5145](#) was adopted by a voice vote.

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?" ([H.F. 2197](#)), the vote was:

Yeas, 34:

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

Nays, 14:

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

Absent, 2:

Schoenjahn	Zaun
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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 **House Files 2111, 2197, 2200, and 2284** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 8, 2010, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 205](#), a bill for an act relating to required testing for infectious diseases of persons under supervision of judicial district departments of correctional services.

[Senate File 358](#), a bill for an act relating to the recognition and enforcement of foreign-country money judgments and providing for the Act's applicability.

ALSO: That the House has on March 8, 2010, **concurred** in the Senate amendment and **passed** the following bills in which the concurrence of the House was asked:

[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.

[House File 2183](#), a bill for an act relating to the organization and duties of the state board of health.

ALSO: That the House has on March 8, 2010, **amended and passed** the following bills in which the concurrence of the Senate is asked:

[Senate File 153](#), a bill for an act to allow medical or osteopathic physicians, physician assistants, and advanced registered nurse practitioners to form limited liability companies or professional corporations. ([S-5197](#))

[Senate File 285](#), a bill for an act relating to magistrate jurisdiction, specifying certain traffic-related offenses as simple misdemeanors, making other related changes to simple misdemeanor offenses, and providing a penalty. ([S-5198](#))

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 6:08 p.m. until 8:45 a.m., Tuesday, March 9, 2010.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Coach Wayne Henryson and the Eighth Grade Girls' Basketball Team, Gilbert—For achieving the Tigers' second undefeated season. Senator Noble (3/8/10).

Gladys Serdahl—For celebrating her 100th birthday. Senator Ragan (3/8/10).

PRESENTATION OF VISITORS

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

Elia Homange, 10th grade Tanzanian exchange student from Central DeWitt, accompanied by Mark and Marsha Witte. Senator Hamerlinck.

INTRODUCTION OF BILLS

[Senate File 2374](#), by committee on Ways and Means, a bill for an act 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.

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

[Senate File 2375](#), by committee on Ways and Means, a bill for an act relating to the administration of the sales and use taxes under the streamlined sales tax agreement and including effective date provisions.

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

FINAL COMMITTEE REPORTS OF BILL ACTION

JUDICIARY

Bill Title: [HOUSE FILE 674 \(HSB 93\)](#), a bill for an act relating to reporting the treatment of serious wounds received as the result of a crime to a law enforcement agency and making penalties applicable.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-5195](#).

Final Vote: Ayes, 12: Kreiman, Hogg, Kettering, Boettger, Hancock, Horn, Jochum, Noble, Sodders, Ward, Warnstadt, and Zaun. Nays, none. Present, 1: Quirnbach. Absent, 2: Fraise and Schoenjahn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2438](#) (formerly [HF 744](#)), a bill for an act relating to the criminal offense of enticing or attempting to entice a minor and providing penalties.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-5194](#).

Final Vote: Ayes, 13: Kreiman, Hogg, Kettering, Boettger, Hancock, Horn, Jochum, Noble, Quirnbach, Sodders, Ward, Warnstadt, and Zaun. Nays, none. Absent, 2: Fraise and Schoenjahn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: *[SENATE FILE 2374 \(SSB 3234\)](#), a bill for an act 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.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Bolcom, McCoy, Dandekar, Dotzler, Hogg, Jochum, Quirnbach, Schmitz, Seng, Stewart, and Wilhelm. Nays, 6: Zaun, Bartz, Feenstra, Hamerlinck, Houser, and Ward. 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 Ways and Means Committee on [Senate File 2374](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 2375 \(SSB 3224\)](#), a bill for an act relating to the administration of the sales and use taxes under the streamlined sales tax agreement and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 17: Bolkcom, McCoy, Zaun, Bartz, Dandekar, Dotzler, Feenstra, Hamerlinck, Hogg, Houser, Jochum, Quirnbach, Schmitz, Seng, Stewart, Ward, 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 Ways and Means Committee on [Senate File 2375](#), and they were attached to the committee report.

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following reports:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 5th day of March, 2010:

Senate Files 2191 and 2248.

ALSO: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 8th day of March, 2010:

Senate Files 2138, 2194, 2243, 2246, 2266, and 2355.

MICHAEL E. MARSHALL
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 8, 2010, the Governor approved and transmitted to the Secretary of State the following bills:

[Senate File 2191](#) – Relating to and making changes to matters under the purview of the division of banking of the department of commerce, making a penalty applicable, and including effective date provisions.

[Senate File 2248](#) – Relating to permits issued under the national pollutant discharge elimination system, and making penalties applicable.

REPORTS OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling [Senate File 2191](#), the following correction was made:

1. Page 1, line 14: changed a closing quote to a smart closing quote.

ALSO: Pursuant to Senate Rule 21, I report that in enrolling [Senate File 2355](#), the following correction was made:

1. Page 1, line 23: removed hyphen in pre-engineered.

MICHAEL E. MARSHALL
Secretary of the Senate

TEMPORARY COMMITTEE CHANGE

Senator Gronstal announced the following temporary change in committee assignment:

Senator Courtney will replace Senator Schoenjahn as Chair of the Appropriations Subcommittee on Education.

AMENDMENTS FILED

S-5190	S.F. 2251	Steven J. Soddors
S-5191	S.F. 2314	Tom Hancock
S-5192	H.F. 788	Matt McCoy
S-5193	S.F. 2284	Daryl Beall
S-5194	H.F. 2438	Judiciary
S-5195	H.F. 674	Judiciary
S-5196	H.F. 2399	Tom Hancock
S-5197	S.F. 153	House
S-5198	S.F. 285	House
S-5199	H.F. 2284	Joe Bolkom