

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, MARCH 9, 2010

Printed daily by the State of Iowa during the sessions of the General Assembly. An official corrected copy is available for reference in the Secretary of the Senate's Office. (The official bound copy will be available after a reasonable time upon adjournment.)

JOURNAL OF THE SENATE

FIFTY-EIGHTH CALENDAR DAY
THIRTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 9, 2010

The Senate met in regular session at 8:45 a.m., President Kibbie presiding.

Prayer was offered by Pastor George Volkert of St. Paul's and St. John's Lutheran Churches in Sumner, Iowa. He was the guest of Senators Hahn and Heckroth.

The Journal of Monday, March 8, 2010, was approved.

INTRODUCTION OF GOVERNOR'S APPOINTEES

The Secretary of the Senate introduced Richard Oshlo, Jr., the governor's appointee to be the Director of the Department of Management. He was the guest of Senator Danielson and the committee on State Government.

The Secretary of the Senate introduced Stephen Larson, the governor's appointee to be the Administrator of the Alcoholic Beverages Division. He was the guest of Senators Jochum and Seymour and the committee on State Government.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 8, 2010, **amended** the Senate amendment, **concurred** in the Senate amendment as amended, **and passed** the following bill in which the concurrence of the Senate is asked:

[House File 2456](#), a bill for an act concerning the use of electronic communication devices while driving, including prohibiting a person from writing or sending a text message while driving a motor vehicle and providing penalties. ([S-5200](#))

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 10:03 a.m., President Kibbie presiding.

RECESS

On motion of Senator Gronstal, the Senate recessed at 10:04 a.m. until 1:45 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:55 p.m., President Kibbie presiding.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

[House File 2456](#)

Senator Danielson called up for consideration [House File 2456](#), a bill for an act concerning the use of electronic communication devices while driving, including prohibiting a person from writing or sending a text message while driving a motor vehicle and providing penalties, amended by the Senate and further amended by the House in House amendment [S-5200](#) to Senate amendment [H-8251](#), filed March 9, 2010.

Senator Danielson moved that the Senate concur and vote “No” in the House amendment to the Senate amendment.

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

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2373](#).

[Senate File 2373](#)

On motion of Senator Jochum, [Senate File 2373](#), a bill for an act relating to the administration of the replacement tax for new cogeneration facilities, and including effective date and 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. 2373](#)), 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.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2367](#).

[Senate File 2367](#)

On motion of Senator Danielson, [Senate File 2367](#), a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters, was taken up for consideration.

Senator Danielson asked and received unanimous consent that action on [Senate File 2367](#) be **deferred**.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2364](#).

[Senate File 2364](#)

On motion of Senator Schmitz, [Senate File 2364](#), a bill for an act relating to the income tax checkoff for the child abuse prevention program fund and including retroactive applicability provisions, was taken up for consideration.

Senator Ward asked and received unanimous consent that action on [Senate File 2364](#) be **deferred**.

IMMEDIATELY MESSAGED

Senator Bolkom asked and received unanimous consent that [Senate File 2373](#) and [House File 2456](#) be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

[Senate File 2199](#)

Senator Olive called up for consideration [Senate File 2199](#), a bill for an act relating to the collection of the use tax on manufactured housing, the licensing of manufactured home retailers, amending statutory references to certain types of home dealers, establishing titling procedures for certain manufactured and mobile homes, making penalties applicable, and including effective date provisions, amended by the House in House amendment [S-5147](#), filed February 25, 2010.

Senator Olive 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 Olive 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. 2199](#)), 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, as amended, was agreed to.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Bolkom asked and received unanimous consent to take up for consideration House Files 2488, 2485, and 2478.

[House File 2488](#)

On motion of Senator Sodders, [House File 2488](#), a bill for an act relating to the appointment of young adults to appointive boards, commissions, committees, and councils, with report of committee recommending passage, 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. 2488](#)), the vote was:

Yeas, 36:

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

Nays, 14:

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

Absent, none.

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

[House File 2485](#)

On motion of Senator Jochum, [House File 2485](#), a bill for an act relating to public employee collective bargaining, with report of committee recommending passage, 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?" ([H.F. 2485](#)), 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.

[House File 2478](#)

On motion of Senator Hogg, [House File 2478](#), a bill for an act relating to business organizations, including limited liability companies and business corporations, and providing for fees, with report of committee recommending passage, was taken up for consideration.

Senator Hogg offered amendment [S-5188](#), filed by him on March 4, 2010, to pages 3, 4, 7, and 8 of the bill, and moved its adoption.

Amendment [S-5188](#) 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?" ([H.F. 2478](#)), 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 2199](#) and **House Files 2478, 2485, and 2488** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 2403](#).

[House File 2403](#)

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

UNFINISHED BUSINESS
(Deferred March 8, 2010)

[House File 2399](#)

The Senate resumed consideration of [House File 2399](#), a bill for an act requiring certain rate-regulated public utilities to undertake analyses of and preparation for the possible construction of low carbon emitting nuclear generating facilities in this state, permitting all rate-regulated public utilities to make significant alterations to an existing generating facility, and including effective date provisions, deferred March 8, 2010.

([House File 2399](#) was deferred.)

The Senate stood at ease at 2:38 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:35 p.m., President Kibbie presiding.

The Senate resumed consideration of [House File 2399](#).

Senator Hogg deferred amendment [S-5206](#), filed by him from the floor to page 1 and amending the title page of the bill.

Senator Hogg deferred amendment [S-5212](#), filed by him from the floor to page 1 and amending the title page of the bill.

Senator Hogg deferred amendment [S-5218](#), filed by him from the floor to pages 1 and 2 and amending the title page of the bill.

Senator Fraise offered amendment [S-5201](#), filed by Senator Fraise, et al., from the floor to pages 1 and 2 and amending the title page of the bill, and moved its adoption.

A nonrecord roll call was requested.

The ayes were 16, nays 26.

Amendment [S-5201](#) lost.

Senator Sodders withdrew amendment [S-5202](#), filed by him from the floor to page 1 of the bill.

Senator Hogg offered amendment [S-5214](#), filed by him from the floor to page 2 of the bill, and moved its adoption.

Amendment [S-5214](#) lost by a voice vote.

Senator Hogg withdrew amendment [S-5213](#), filed by him from the floor to page 2 and amending the title page of the bill.

Senator Hogg withdrew amendment [S-5215](#), filed by him from the floor to page 2 and amending the title page of the bill.

Senator Beall offered amendment [S-5216](#), filed by Senators Beall, Kibbie, and Bolkcom from the floor to page 2 and amending the title page of the bill, and moved its adoption.

Amendment [S-5216](#) lost by a voice vote.

Senator Hancock withdrew amendment [S-5196](#), filed by him on March 8, 2010, to page 3 of the bill.

The Senate resumed consideration of amendment [S-5206](#), previously deferred.

Senator Hogg withdrew amendment [S-5206](#).

The Senate resumed consideration of amendment [S-5212](#), previously deferred.

Senator Hogg withdrew amendment [S-5212](#).

The Senate resumed consideration of amendment [S-5218](#), previously deferred.

Senator Hogg moved the adoption of amendment [S-5218](#).

A nonrecord roll call was requested.

The ayes were 13, nays 26.

Amendment [S-5218](#) lost.

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

On the question "Shall the bill pass?" ([H.F. 2399](#)), the vote was:

Yeas, 37:

Bartz	Hahn	Kibbie	Seymour
Behn	Hamerlinck	McCoy	Sodders

Black	Hancock	McKinley	Stewart
Boettger	Hartsuch	Noble	Ward
Courtney	Heckroth	Olive	Warnstadt
Dandekar	Horn	Ragan	Wieck
Danielson	Houser	Reynolds	Zaun
Dotzler	Johnson	Rielly	
Feenstra	Kapucian	Schmitz	
Gronstal	Kettering	Schoenjahn	

Nays, 13:

Appel	Dvorsky	Jochum	Wilhelm
Beall	Fraise	Kreiman	
Bolkcom	Hatch	Quirnbach	
Dearden	Hogg	Seng	

Absent, none.

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

WITHDRAWN

Senator Hancock asked and received unanimous consent that [Senate File 2314](#) be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 2307 and 2288.

[House File 2307](#)

On motion of Senator Quirnbach, [House File 2307](#), a bill for an act providing for restitution for Medicaid expenditures, with report of committee recommending passage, was taken up for consideration.

Senator Quirnbach 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. 2307](#)), 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.

[House File 2288](#)

On motion of Senator Kreiman, [House File 2288](#), a bill for an act repealing the simple misdemeanor offense relating to the use of cowl lamps on motor vehicles, 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. 2288](#)), 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 **House Files 2288, 2307, 2399, and 2403** 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 2195, 2148, 2144, and 2137.

[House File 2195](#)

On motion of Senator Dotzler, [House File 2195](#), a bill for an act concerning fine arts projects in state buildings, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" ([H.F. 2195](#)), the vote was:

Yeas, 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.

[House File 2148](#)

On motion of Senator Beall, [House File 2148](#), a bill for an act relating to eligible lenders for the home ownership assistance program for military members, with report of committee recommending passage, 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. 2148](#)), 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.

[House File 2144](#)

On motion of Senator Wilhelm, [House File 2144](#), a bill for an act relating to health-related activities and regulation by the department of public health, and making penalties applicable, 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. 2144](#)), 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.

[House File 2137](#)

On motion of Senator Danielson, [House File 2137](#), a bill for an act relating to the military division of the department of public defense concerning state military service and the Iowa code of military justice, with report of committee recommending passage, was taken up for consideration.

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. 2137](#)), 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	Quirmbach	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.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bolkcom, until he returns, on request of Senator Gronstal.

UNFINISHED BUSINESS (Deferred March 8, 2010)

[House File 2110](#)

The Senate resumed consideration of [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, deferred March 8, 2010.

Senator Wieck offered amendment [S-5209](#), filed by Senator Wieck, et al., from the floor to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5209](#) be adopted?” ([H.F. 2110](#)), the vote was:

Yeas, 18:

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

Nays, 31:

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

Absent, 1:

Bolkcom

Amendment [S-5209](#) lost.

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?” ([H.F. 2110](#)), the vote was:

Yeas, 35:

Appel	Fraise	Jochum	Schmitz
Beall	Gronstal	Kapucian	Schoenjahn
Black	Hahn	Kibbie	Seng
Courtney	Hancock	Kreiman	Sodders
Dandekar	Hatch	McCoy	Stewart
Danielson	Heckroth	Olive	Ward

Dearden	Hogg	Quirnbach	Warnstadt
Dotzler	Horn	Ragan	Wilhelm
Dvorsky	Houser	Rielly	

Nays, 14:

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

Absent, 1:

Bolkcom

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 2460, 2459, and 2454.

[House File 2460](#)

On motion of Senator Rielly, [House File 2460](#), a bill for an act relating to small business and disadvantaged business enterprise contracts with the department of transportation, with report of committee recommending passage, 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?" ([H.F. 2460](#)), the vote was:

Yeas, 49:

Appel	Fraise	Kapucian	Schoenjahn
Bartz	Gronstal	Kettering	Seng
Beall	Hahn	Kibbie	Seymour
Behn	Hamerlinck	Kreiman	Sodders
Black	Hancock	McCoy	Stewart
Boettger	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	
Feenstra	Johnson	Schmitz	

Nays, none.

Absent, 1:

Bolkcom

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

[House File 2459](#)

On motion of Senator Hogg, [House File 2459](#), a bill for an act establishing a watershed planning advisory council, with report of committee recommending passage, was taken up for consideration.

Senator Hogg asked and received unanimous consent that action on [House File 2459](#) be **deferred**.

[House File 2454](#)

On motion of Senator Beall, [House File 2454](#), a bill for an act providing for the development of programs to attract qualified disabled veterans for job opportunities in state government, with report of committee recommending passage, 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. 2454](#)), the vote was:

Yeas, 49:

Appel	Fraise	Kapucian	Schoenjahn
Bartz	Gronstal	Kettering	Seng
Beall	Hahn	Kibbie	Seymour
Behn	Hamerlinck	Kreiman	Sodders
Black	Hancock	McCoy	Stewart
Boettger	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	
Feenstra	Johnson	Schmitz	

Nays, none.

Absent, 1:

Bolkcom

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 2110, 2137, 2144, 2148, 2195, 2454, and 2460** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 9, 2010, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 2073](#), a bill for an act relating to the practice of accounting and to the organization and operation of the licensing boards included within the professional licensure and regulation bureau of the banking division in the department of commerce.

[Senate File 2075](#), a bill for an act requiring reasonable exceptions to insurance rates for consumers whose credit information is influenced by extraordinary life circumstances and providing an applicability date.

[Senate File 2095](#), a bill for an act relating to the authority of a certified law enforcement officer.

[Senate File 2289](#), a bill for an act relating to deaccreditation of a school district by the state board of education and to the disposition of certain former school district funds, and including effective date, validation, and retroactive applicability provisions.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 5:51 p.m. until 8:45 a.m., Wednesday, March 10, 2010.

APPENDIX

COMMUNICATIONS RECEIVED

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

DEPARTMENT FOR THE BLIND

FY 2009 Report on Recycled Content Products and Soy-based Inks, pursuant to Iowa Code section 216B.3(12)(d). Report received on March 9, 2010.

DEPARTMENT OF HUMAN SERVICES

Implementation Status Report of the Mental Health Services System for Children, Youth, and Their Families, pursuant to Iowa Code section 225C.54(5). Report received on March 9, 2010.

CERTIFICATES OF RECOGNITION

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

Gaby Baker, Elkhart—For winning the Sixth–Seventh Grade “Write Women Back Into History” contest. Senator Noble (3/9/10).

Robert Harrington Cave, Burlington—For celebrating his 90th birthday. Senator Courtney (3/9/10).

Myranell Dockendorff, Danville—For celebrating her 90th birthday. Senator Courtney (3/9/10).

Alexander Erlandson, Walford—For winning the Sixth–Seventh Grade “Write Women Back Into History” contest. Senator Kapucian (3/9/10).

Isabelle Moeller—For celebrating her 90th birthday. Senator Dotzler (3/9/10).

Mount Vernon Girls' Basketball Team—For winning the 2010 Class 2-A State Girls' Basketball Championship. Senator Dvorsky (3/9/10).

Florence Paul, Osceola—For celebrating her 98th birthday. Senator Reynolds (3/9/10).

University of Iowa Museum of Natural History—For the celebration of the 150th anniversary of the museum. Senator Dvorsky (3/9/10).

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: Tuesday, March 9, 2010, 10:10 a.m.

Members Present: Warnstadt, Chair; Heckroth, Vice Chair; Wieck, Ranking Member; Behn, Bolkcom, Courtney, Dandekar, Kettering, McCoy, Olive, Rielly, Schmitz, Stewart, and Ward.

Members Absent: Hartsuch (excused).

Committee Business: Approved governor's appointees.

Adjourned: 10:15 a.m.

ECONOMIC GROWTH

Convened: Tuesday, March 09, 2010, 10:20 a.m.

Members Present: Stewart, Chair; Olive, Vice Chair; Houser, Ranking Member; Beall, Dandekar, Dotzler, Hatch, Heckroth, Kapucian, Reynolds, Rielly, Schmitz, and Wilhelm.

Members Absent: Hamerlinck and Wieck (both excused).

Committee Business: Approved governor's appointees.

Adjourned: 10:30 a.m.

LABOR AND BUSINESS RELATIONS

Convened: Tuesday, March 9, 2010, 1:30 p.m.

Members Present: Courtney, Chair; Jochum, Vice Chair; Ward, Ranking Member; Dearden, Hatch, Horn, Houser, Wieck, and Zaun.

Members Absent: Dotzler and Gronstal (both excused).

Committee Business: Approved governor's appointees.

Adjourned: 1:35 p.m.

STATE GOVERNMENT

Convened: Tuesday, March 9, 2010, 10:35 a.m.

Members Present: Appel, Chair; Kibbie, Vice Chair; Feenstra, Ranking Member; Behn, Black, Courtney, Danielson, Dearden, Horn, Jochum, Seymour, Sodders.

Members Absent: Hartsuch, Hatch, and Wieck (all excused).

Committee Business: Approved governor's appointees.

Adjourned: 10:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Monday, March 8, 2010, 12:40 p.m.

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

Members Absent: None.

Committee Business: Approved LSB 5090JA, as amended.

Adjourned: 2:05 p.m.

INTRODUCTION OF RESOLUTIONS

[Senate Concurrent Resolution 102](#), by Black, a concurrent resolution designating May 2010 as Motorcycle Safety Awareness Month.

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

[Senate Resolution 107](#), by Black, a resolution supporting the Republic of China on Taiwan as a part of the global community.

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

STUDY BILLS RECEIVED

SSB 3247 Appropriations

Relating to the compensation and benefits for public officials and employees, providing for related matters, and making appropriations.

SSB 3248 Appropriations

Relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, providing for related matters, and including effective date and applicability provisions.

SUBCOMMITTEE ASSIGNMENTS

SSB 3247

APPROPRIATIONS: Dvorsky, Chair; and Kettering

SSB 3248

APPROPRIATIONS: Schoenjahn, Chair; Boettger and Dvorsky

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling [Senate File 2088](#), the following corrections were made:

1. Page 1, line 32: change "Oe" to "e".
2. Page 2, line 7: change "e" to "f".
3. Page 2, line 11: change "f" to "g".
4. Page 2, line 12: change "g" to "h".
5. Page 2, line 13: change "h" to "i".
6. Page 2, line 14: change "i" to "j".
7. Page 2, line 16: change "j" to "k".
8. Page 2, line 17: change "k" to "l".
9. Page 15, line 5: delete *.
10. Page 159, line 11: "jursidiction" is spelled incorrectly.
11. Page 188, line 13: add parens around the 2 in the line for "subparagraph (2)".

MICHAEL E. MARSHALL
Secretary of the Senate

BILL ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has 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 9th day of March, 2010:

[Senate File 2088.](#)

MICHAEL E. MARSHALL
Secretary of the Senate

**GOVERNOR'S APPOINTEES PLACED ON
EN BLOC CONFIRMATION CALENDAR**

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

COMMERCE

Paul Becker – Credit Union Review Board
Jeffrey Hayes – Credit Union Review Board
Michaela “Shelley” Parbs – Credit Union Review Board

Pamela Duffy – Iowa Telecommunications and Technology Commission

ECONOMIC GROWTH

George “Curtis” Baugh – Iowa Economic Development Board
David Bernstein – Iowa Economic Development Board
John Bickel – Iowa Economic Development Board
Jerry Courtney – Iowa Economic Development Board
Nancy Dunkel – Iowa Economic Development Board
Rebecca Greenwald – Iowa Economic Development Board
Sue Jarboe – Iowa Economic Development Board
John Lisle – Iowa Economic Development Board
Ruth MacDonald – Iowa Economic Development Board
Andrea McGuire – Iowa Economic Development Board
Robert Riley, Jr. – Iowa Economic Development Board
Marcia Rogers – Iowa Economic Development Board
Toby Shine – Iowa Economic Development Board
Daniel White – Iowa Economic Development Board

Robin Anderson – Iowa Great Places Board
Samantha Erickson – Iowa Great Places Board
Mark Ginsberg – Iowa Great Places Board
Theresa Lynch – Iowa Great Places Board

Kate Gronstal – Iowa Jobs Board
Toi Sullivan – Iowa Jobs Board

John Bilsten – Iowa Power Fund Board
Fred Hubbell – Iowa Power Fund Board

LABOR AND BUSINESS RELATIONS

John Peno – Employment Appeal Board

Jane Hagedorn – Plumbing and Mechanical Systems Examining Board
Charles Thomas – Plumbing and Mechanical Systems Examining Board
Brita Van Horne – Plumbing and Mechanical Systems Examining Board

James Riordan – Chair of the Public Employment Relations Board

Kenneth Anderson – Iowa Workforce Development Board
Sarah Falb – Iowa Workforce Development Board
Deborah Groene – Iowa Workforce Development Board

STATE GOVERNMENT

Mary Schramm – Accountancy Examining Board
Carol Schuster – Accountancy Examining Board
Donald Timmins – Accountancy Examining Board

Redmond Jones II – Commission on the Status of African-Americans

Claire Celsi – Alcoholic Beverages Commission

Stephen Larson – Administrator of the Alcoholic Beverages Division

Saleem Baig – Architectural Examining Board
Susan Bowersox – Architectural Examining Board

Charles Wubbena – Board of Barbering

Michael Hoenig – Commission for the Blind

Thomas Dye – Boiler and Pressure Vessel Board
Joseph Rodenkirk – Boiler and Pressure Vessel Board
Lynne Rush – Boiler and Pressure Vessel Board

Bradley Brown – Board of Chiropractic
Leslie Duinink – Board of Chiropractic

Joyce Hoepker – Commission on Community Action Agencies
G. Kevin Middleswart – Commission on Community Action Agencies
Robert Tyson – Commission on Community Action Agencies

Richard Sheriff – Board of Cosmetology Arts And Sciences

Mary Kelly – Board of Trustees of the Iowa Cultural Trust
Henry Neuman – Board of Trustees of the Iowa Cultural Trust

James Snyder – Commission on the Deaf
Robert Vizzini – Commission on the Deaf

Steven Bradley – Board of Dentistry
Lynn Curry – Board of Dentistry
Michael Rovner – Board of Dentistry
Kimberlee Spillers – Board of Dentistry

Janet Johnson – Board of Dietetics

Russell Allen – Elevator Safety Board
Todd Christensen – Elevator Safety Board
Peter Fromm – Elevator Safety Board
Marvin Schumacher – Elevator Safety Board

Robert Dougherty – Iowa Emergency Response Commission

Craig Johnstone – Engineering and Land Surveying Examining Board
Bryan Myers – Engineering and Land Surveying Examining Board

Carole Tillotson – Iowa Ethics and Campaign Disclosure Board
John Walsh – Iowa Ethics and Campaign Disclosure Board

Erik Christian – Generation Iowa Commission
Christine Ralston – Generation Iowa Commission
Maura Walsh – Generation Iowa Commission
Khara Washington – Generation Iowa Commission

Stanley Haugland – Board of Hearing Aid Dispensers
Gregory Moore – Board of Hearing Aid Dispensers

Michele Rosenboom – Interior Design Examining Board
H. Scott Sankey – Interior Design Examining Board

Christopher Keahi – Commission on the Status of Iowans of Asian and Pacific
Islander Heritage

George Youi Sayavong – Commission on the Status of Iowans of Asian and Pacific
Islander Heritage

Donechanh Southammavong – Commission on the Status of Iowans of Asian and
Pacific Islander Heritage

Phyllis Peterson – Investment Board of the IPERS

Christopher Seeger – Landscape Architectural Examining Board
Maryjo Welch – Landscape Architectural Examining Board

Michael Klappholz – Iowa Lottery Authority Board of Directors

Richard Oshlo, Jr. – Director of the Department of Management

Mary Belieu – Board of Massage Therapy
Doug Carlson – Board of Massage Therapy
Luella Rodemeyer – Board of Massage Therapy

Tom Drew – Board of Medicine
Jeffrey Snyder – Board of Medicine
Colleen Stockdale – Board of Medicine
Joyce Vista-Wayne – Board of Medicine

Barbara Teahen – Board of Mortuary Science
LuJean Welander – Board of Mortuary Science

Thomas Cornwell – Commission on Native American Affairs

Clyde Bradley – Board of Nursing
Jane Hasek – Board of Nursing
Mark Hilliard – Board of Nursing
Leslie Lewis – Board of Nursing

Jeannine Bunge – Board of Nursing Home Administrators
Thomas Kenefick – Board of Nursing Home Administrators

Charles Follett – Board of Optometry
Sharon Tharp – Board of Optometry

Chris Mayer – Peace Officer's Retirement, Accident, and Disability System Trustee

DeeAnn Wedemeyer-Oleson – Board of Pharmacy
Margaret "Peggy" Whitworth – Board of Pharmacy

Denise Behrends – Board of Physical and Occupational Therapy
Todd Bradley – Board of Physical and Occupational Therapy
Erin Hytrek – Board of Physical and Occupational Therapy

Theresa Hegmann – Board of Physician Assistants
Susan Koehler – Board of Physician Assistants
Joseph Molnar – Board of Physician Assistants
Ted Smith – Board of Physician Assistants

Eric Barp – Board of Podiatry
Gregory Lantz – Board of Podiatry
Denise Mandi – Board of Podiatry

Eugene Glass – Board of Psychology
Mary Johnson – Board of Psychology
James Moody – Board of Psychology

Jack P. Ketterer – Administrator of the State Racing and Gaming Commission

Gregory Seyfer – State Racing and Gaming Commission

James Kesterson – Real Estate Appraiser Examining Board

Gregory Morehead – Real Estate Appraiser Examining Board

Judith Stevens – Real Estate Commission

Kerry George – Board of Respiratory Care

Beth Harms – Board of Social Work

Katinka Keith – Board of Social Work

Krista Mattson – Board of Social Work

David Stone – Board of Social Work

Jason Aird – Board of Speech Pathology and Audiology

Coral Jud – Board of Speech Pathology and Audiology

Dean Upton – Iowa Board of Veterinary Medicine

Fred Diehl – Vision Iowa Board

Marilyn Monroe – Vision Iowa Board

Joan Axel – Commission on the Status of Women

Thomas Carnahan – Commission on the Status of Women

Jill Olsen – Commission on the Status of Women

Phyllis Peters – Commission on the Status of Women

John Quinn – Commission on the Status of Women

REFERRAL TO INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the following names be removed from the “En Bloc Confirmation Calendar” and placed on the “Individual Confirmation Calendar”:

Stephen Larson – Administrator of the Alcoholic Beverages Division

Richard Oshlo, Jr. – Director of the Department of Management

Jack P. Ketterer – Administrator of the State Racing and Gaming Commission

RANDY FEENSTRA

AMENDMENTS FILED

<u>S-5200</u>	<u>H.F. 2456</u>	House
<u>S-5201</u>	<u>H.F. 2399</u>	Gene Fraise
		Robert M. Hogg
		Joe Bolkcom
		Matt McCoy
		Becky Schmitz
		Pam Jochum

		Robert E. Dvorsky
		Wally E. Horn
		Keith A. Kreiman
		Dick L. Dearden
		Staci Appel
S-5202	H.F. 2399	Steven J. Soddors
S-5203	S.F. 2370	Joe M. Seng
S-5204	H.F. 2461	Randy Feenstra
S-5205	H.F. 2466	James F. Hahn
S-5206	H.F. 2399	Robert M. Hogg
S-5207	S.F. 2367	Steven J. Soddors
S-5208	H.F. 2473	Keith A. Kreiman
S-5209	H.F. 2110	Ron Wieck
		James A. Seymour
		Jerry Behn
		Hubert Houser
		Randy Feenstra
		Nancy J. Boettger
		Pat Ward
		Kim Reynolds
		David Johnson
		Brad Zaun
		Tim L. Kapucian
		Steve Kettering
		Larry Noble
		James F. Hahn
		Shawn Hamerlinck
S-5210	H.F. 2432	David Johnson
S-5211	S.F. 2367	Jeff Danielson
S-5212	H.F. 2399	Robert M. Hogg
S-5213	H.F. 2399	Robert M. Hogg
S-5214	H.F. 2399	Robert M. Hogg
S-5215	H.F. 2399	Robert M. Hogg
S-5216	H.F. 2399	John P. Kibbie
		Daryl Beall
		Joe Bolkcom
S-5217	S.F. 2364	Pat Ward
S-5218	H.F. 2399	Robert M. Hogg
S-5219	S.F. 2367	Jeff Danielson