

PROOF

STATE OF IOWA

Senate Journal

WEDNESDAY, MARCH 10, 2010

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JOURNAL OF THE SENATE

FIFTY-NINTH CALENDAR DAY
THIRTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 10, 2010

The Senate met in regular session at 8:50 a.m., President Kibbie presiding.

Prayer was offered by Monsignor Wayne Ressler, rector of the Cathedral of Saint Raphael in Dubuque, Iowa. He was the guest of Senator Jochum.

The Journal of Tuesday, March 9, 2010, was approved.

INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced Patrick Palmersheim, the governor's appointee to be the Executive Director of the Commission of Veterans Affairs. He was the guest of Senators Beall and Seymour and the committee on Veterans Affairs.

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 9, 2010, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 2157](#), a bill for an act relating to the recording requirements for certain residential real estate installment sales contracts and including applicability provisions.

[Senate File 2158](#), a bill for an act relating to child support recovery including child support provisions for minor parents, medical support, and the review and adjustment process.

[Senate File 2175](#), a bill for an act providing for representation of military veterans on certain mental health policy bodies.

[Senate File 2190](#), a bill for an act relating to an exemption for a debtor's personal property from execution by creditors in a bankruptcy action.

[Senate File 2216](#), a bill for an act allowing certain game birds to be shot when released on a licensed hunting preserve and providing a penalty.

[Senate File 2218](#), a bill for an act relating to elections by eliminating double election boards and by requiring the commissioner of elections, upon petition, to use automatic tabulating equipment in certain elections and including effective date provisions.

[Senate File 2247](#), a bill for an act authorizing the modification of the designation of a gaming enforcement officer.

[Senate File 2263](#), a bill for an act relating to the office of the long-term care resident's advocate, and providing penalties.

[Senate File 2264](#), a bill for an act relating to the review and approval of proposed subdivisions by a city.

[Senate File 2267](#), a bill for an act relating to the home modification requirements under the Medicaid home and community-based services waiver for the elderly.

[Senate File 2298](#), a bill for an act relating to the attendance of a child at juvenile court hearings or meetings during the pendency of a child in need of assistance case.

[Senate File 2303](#), a bill for an act relating to detainers lodged against parolees in this state.

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

[Senate File 2344](#), a bill for an act relating to the violator facility established within the department of corrections.

ALSO: That the House has on March 9, 2010, **amended and passed** the following bills in which the concurrence of the Senate is asked:

[Senate File 2156](#), a bill for an act relating to the IowaCare program, and providing for repeals. ([S-5221](#))

[Senate File 2200](#), a bill for an act relating to transfer of guardianship for a child in need of assistance to the probate court. ([S-5222](#))

[Senate File 2254](#), a bill for an act relating to the powers and duties of county treasurers to assess certain property associated with fence disputes and water districts. ([S-5223](#))

[Senate File 2286](#), a bill for an act relating to the regulation of professional and amateur mixed martial arts matches and events by the labor commissioner and providing penalties. ([S-5225](#))

[Senate File 2318](#), a bill for an act concerning and affecting veterans and military members, related to employment benefits, professional licensing, and interest rate limit enforcement, and making penalties applicable. ([S-5224](#))

ALSO: That the House has on March 9, 2010, **passed** the following bill in which the concurrence of the Senate is asked:

[House File 816](#), a bill for an act allowing the department of revenue to subpoena certain customer records of individuals with a debt placed with the centralized collection unit of the department of revenue and including effective date provisions.

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

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:12 a.m. until 3:30 p.m.

AFTERNOON SESSION

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

INTRODUCTION OF RESOLUTION

[Senate Resolution 108](#), by Dvorsky and Bolkcom, a resolution to celebrate the highlights for the 2009 football season of the University of Iowa football team.

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

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: [SENATE RESOLUTION 108](#), a resolution to celebrate the highlights for the 2009 football season of the University of Iowa football team.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Gronstal, Kibbie, McKinley, Courtney, Danielson, Dearden, Dvorsky, Kettering, and Zaun. Nays, none. Absent, 2: Boettger and Ragan.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate Resolution 108](#).

[Senate Resolution 108](#)

On motion of Senator Dvorsky, [Senate Resolution 108](#), a resolution to celebrate the highlights for the 2009 football season of the University of Iowa football team, with report of committee recommending passage, was taken up for consideration.

Senator Dvorsky moved the adoption of [Senate Resolution 108](#), which motion prevailed by a voice vote.

SPECIAL GUEST

Senator Dvorsky introduced to the Senate chamber Kirk Ferentz, head coach of the University of Iowa football team.

Coach Ferentz addressed the Senate with brief remarks.

The Senate rose and expressed its welcome.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 2466](#).

[House File 2466](#)

On motion of Senator Heckroth, [House File 2466](#), a bill for an act relating to the license or authorization issued to a person who qualifies as a driver education instructor and including effective date and retroactive applicability provisions, with report of committee recommending passage, was taken up for consideration.

Senator Hahn offered amendment [S-5205](#), filed by him on March 9, 2010, to page 3 and amending the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-5205](#) be adopted?" ([H.F. 2466](#)), the vote was:

Yeas, 21:

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

Nays, 29:

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

Absent, none.

Amendment [S-5205](#) lost.

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

On the question "Shall the bill pass?" ([H.F. 2466](#)), the vote was:

Yeas, 34:

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

Nays, 16:

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

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 File 2466](#) be **immediately messaged** to the House.

UNFINISHED BUSINESS

(Deferred March 9, 2010)

[Senate File 2367](#)

The Senate resumed consideration of [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, deferred March 9, 2010.

Senator Danielson withdrew amendment [S-5211](#), filed by him on March 9, 2010, to pages 1, 2, 7, 11, 12, 14–16, 19, 20, and 22 of the bill.

Senator Danielson offered amendment [S-5219](#), filed by him on March 9, 2010, to pages 1, 2, 7, 11, 12, 14–16, 19, 20, and 22 of the bill.

Senator Danielson offered amendment [S-5232](#), filed by him from the floor to pages 3 and 4 of amendment [S-5219](#), and moved its adoption.

Amendment [S-5232](#) was adopted by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Heckroth, until he returns, on request of Senator Olive.

Senator Danielson moved the adoption of amendment [S-5219](#), as amended.

A record roll call was requested.

On the question “Shall amendment [S-5219](#), as amended, be adopted?” ([S.F. 2367](#)), the vote was:

Yeas, 31:

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

Nays, 18:

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

Absent, 1:

Heckroth

Amendment [S-5219](#), as amended, was adopted.

Senator Behn offered amendment [S-5186](#), filed by him on March 4, 2010, to page 2 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5186](#) be adopted?” ([S.F. 2367](#)), the vote was:

Yeas, 21:

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

Nays, 28:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Jochum	Schoenjahn

Bolkcom	Fraise	Kibbie	Seng
Courtney	Gronstal	Kreiman	Sodders
Dandekar	Hancock	McCoy	Stewart
Danielson	Hatch	Quirnbach	Warnstadt
Dearden	Hogg	Ragan	Wilhelm

Absent, 1:

Heckroth

Amendment [S-5186](#) lost.

Senator Bartz offered amendment [S-5229](#), filed by him from the floor to page 9 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-5229](#) be adopted?" ([S.F. 2367](#)), 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	Dotzler	Jochum	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Sodders
Courtney	Hancock	Olive	Stewart
Dandekar	Hatch	Quirnbach	Warnstadt
Danielson	Hogg	Ragan	Wilhelm
Dearden	Horn	Rielly	

Absent, 1:

Heckroth

Amendment [S-5229](#) lost.

Senator Sodders offered amendment [S-5207](#), filed by him on March 9, 2010, to pages 14 and 20 and amending the title page of the bill, and moved its adoption.

Amendment [S-5207](#) was adopted by a voice vote.

Senator Bartz offered amendment [S-5226](#), filed by him from the floor to page 20 and amending the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-5226](#) be adopted?" ([S.F. 2367](#)), 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	Dotzler	Jochum	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Sodders
Courtney	Hancock	Olive	Stewart
Dandekar	Hatch	Quirnbach	Warnstadt
Danielson	Hogg	Ragan	Wilhelm
Dearden	Horn	Rielly	

Absent, 1:

Heckroth

Amendment [S-5226](#) lost.

Senator Kettering offered amendment [S-5227](#), filed by him from the floor to page 20 and amending the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-5227](#) be adopted?" ([S.F. 2367](#)), 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	Dotzler	Jochum	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Sodders
Courtney	Hancock	Olive	Stewart
Dandekar	Hatch	Quirnbach	Warnstadt
Danielson	Hogg	Ragan	Wilhelm
Dearden	Horn	Rielly	

Absent, 1:

Heckroth

Amendment [S-5227](#) lost.

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?" ([S.F. 2367](#)), the vote was:

Yeas, 29:

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

Nays, 20:

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

Absent, 1:

Heckroth

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

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

UNFINISHED BUSINESS

(Deferred March 9, 2010)

[Senate File 2364](#)

The Senate resumed consideration of [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, deferred March 9, 2010.

Senator Ward offered amendment [S-5217](#), filed by her on March 9, 2010, to pages 1 and 2 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-5217](#) be adopted?" ([S.F. 2364](#)), the vote was:

Yeas, 22:

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

Nays, 26:

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

Absent, 2:

Heckroth	Sodders
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Amendment [S-5217](#) lost.

Senator Danielson offered amendment [S-5171](#), filed by Senators Danielson and Hancock on March 1, 2010, to page 2 and amending the title page of the bill, and moved its adoption.

Amendment [S-5171](#) was adopted by a voice vote.

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

On the question "Shall the bill pass?" ([S.F. 2364](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Heckroth Sadders

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

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 777](#).

[House File 777](#)

On motion of Senator Jochum, [House File 777](#), a bill for an act relating to open records and public meetings, including the creation of

the open meetings, public records, and privacy advisory committee, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Jochum offered amendment [S-5046](#), filed by the committee on State Government on February 2, 2010, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Jochum offered amendment [S-5231](#), filed by her from the floor to page 8 of amendment [S-5046](#), and moved its adoption.

Amendment [S-5231](#) was adopted by a voice vote.

Senator Jochum moved the adoption of amendment [S-5046](#), as amended.

Amendment [S-5046](#), as amended, 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. 777](#)), the vote was:

Yeas, 35:

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

Nays, 13:

Behn	Hartsuch	McKinley	Zaun
Boettger	Houser	Noble	
Feenstra	Kapucian	Reynolds	
Hahn	Kettering	Wieck	

Absent, 2:

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2364** and **2367** and [House File 777](#) 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 2229](#).

[House File 2229](#)

On motion of Senator McCoy, [House File 2229](#), a bill for an act prohibiting the imposition by a dental plan of fee schedules for the provision of dental services that are not covered by the plan, with report of committee recommending amendment and passage, was taken up for consideration.

Senator McCoy offered amendment [S-5185](#), filed by the committee on Commerce on March 4, 2010, to page 1 of the bill.

Senator Warnstadt offered amendment [S-5233](#), filed by him from the floor to page 1 of amendment [S-5185](#), and moved its adoption.

Amendment [S-5233](#) was adopted by a voice vote.

Senator McCoy moved the adoption of amendment [S-5185](#), as amended.

Amendment [S-5185](#), as amended, was adopted by a voice vote.

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

On the question "Shall the bill pass?" ([H.F. 2229](#)), the vote was:

Yeas, 49:

Appel	Feenstra	Kapucian	Schoenjahn
Bartz	Fraise	Kettering	Seng
Beall	Gronstal	Kibbie	Seymour
Behn	Hahn	Kreiman	Sodders

Black	Hamerlinck	McCoy	Stewart
Boettger	Hancock	McKinley	Ward
Bolkcom	Hartsuch	Noble	Warnstadt
Courtney	Hatch	Olive	Wieck
Dandekar	Hogg	Quirnbach	Wilhelm
Danielson	Horn	Ragan	Zaun
Dearden	Houser	Reynolds	
Dotzler	Jochum	Rielly	
Dvorsky	Johnson	Schmitz	

Nays, none.

Absent, 1:

Heckroth

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

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 10, 2010, **amended and passed** the following bills in which the concurrence of the Senate is asked:

[Senate File 431](#), a bill for an act relating to the reorganization of operating-while-intoxicated criminal offenses, making related changes, and providing an effective date. ([S-5237](#))

[Senate File 2357](#), a bill for an act relating to prohibiting a person who is the subject of a no-contact order or a protective order or who has been convicted of a misdemeanor crime of domestic violence from possessing, transferring, or selling firearms and ammunition or offensive weapons and providing penalties. ([S-5235](#))

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [House File 2229](#) 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 2374](#).

[House File 2374](#)

On motion of Senator Kreiman, [House File 2374](#), a bill for an act relating to the definition of serious injury for purposes of criminal offenses, 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. 2374](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Heckroth

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 681](#)

The Senate resumed consideration of [House File 681](#), a bill for an act requiring employers to provide notice of business closings and mass layoffs and providing penalties, deferred March 8, 2010.

Senator Zaun offered amendment [S-5230](#), filed by him from the floor to page 4 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-5230](#) be adopted?" ([H.F. 681](#)), 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	Dotzler	Jochum	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Sodders
Courtney	Hancock	Olive	Stewart
Dandekar	Hatch	Quirnbach	Warnstadt
Danielson	Hogg	Ragan	Wilhelm
Dearden	Horn	Rielly	

Absent, 1:

Heckroth

Amendment [S-5230](#) lost.

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

Yeas, 31:

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

Nays, 18:

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

Absent, 1:

Heckroth

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 [House File 2372](#).

[House File 2372](#)

On motion of Senator Kreiman, [House File 2372](#), a bill for an act relating to an assault causing serious injury, 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. 2372](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Heckroth

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 2233](#)

The Senate resumed consideration of [House File 2233](#), a bill for an act relating to expunging the conviction for certain alcohol-related offenses, deferred March 8, 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?" ([H.F. 2233](#)), the vote was:

Yeas, 49:

Appel	Feenstra	Kapucian	Schoenjahn
Bartz	Fraise	Kettering	Seng
Beall	Gronstal	Kibbie	Seymour
Behn	Hahn	Kreiman	Sodders

Black	Hamerlinck	McCoy	Stewart
Boettger	Hancock	McKinley	Ward
Bolkcom	Hartsuch	Noble	Warnstadt
Courtney	Hatch	Olive	Wieck
Dandekar	Hogg	Quirnbach	Wilhelm
Danielson	Horn	Ragan	Zaun
Dearden	Houser	Reynolds	
Dotzler	Jochum	Rielly	
Dvorsky	Johnson	Schmitz	

Nays, none.

Absent, 1:

Heckroth

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 681, 2233, 2372, and 2374** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2370](#).

[Senate File 2370](#)

On motion of Senator Dearden, [Senate File 2370](#), a bill for an act relating to various conservation and recreation activities under the purview of the department of natural resources, and making penalties applicable, placed on the Unfinished Business Calendar on March 4, 2009, was taken up for consideration.

Senator Seng offered amendment [S-5203](#), filed by him on March 9, 2010, to pages 24–26 of the bill.

Senator Bartz asked and received unanimous consent that action on amendment [S-5203](#) and [Senate File 2370](#) be **deferred**.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 59, Senator Gronstal called up the following eligible appointees on the En Bloc Confirmation Calendar:

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

Michael Hoenig, Commission for the Blind

Thomas Dye, Boiler and Pressure Vessel Board
Lynne Rush, Boiler and Pressure Vessel Board

Bradley Brown, Board of Chiropractic

G. Kevin Middleswart, Commission on Community Action Agencies

Richard Sheriff, Board of Cosmetology Arts and Sciences

Paul Becker, Credit Union Review Board
Jeffrey Hayes, Credit Union Review Board

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

Steven Bradley, Board of Dentistry
Lynn Curry, Board of Dentistry

Janet Johnson, Board of Dietetics

Todd Christensen, Elevator Safety Board
Marvin Schumacher, Elevator Safety Board

Robert Dougherty, Iowa Emergency Response Commission

John Peno, Employment Appeal Board

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

Maura Walsh, Generation Iowa Commission

Robin Anderson, Iowa Great Places Board

Mark Ginsberg, Iowa Great Places Board

Gregory Moore, Board of Hearing Aid Dispensers

Michele Rosenboom, Interior Design Examining Board

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

Phyllis Peterson, Investment Board of the IPERS

Maryjo Welch, Landscape Architectural Examining Board

Tom Drew, 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

Mark Hilliard, Board of Nursing

Thomas Kenefick, Board of Nursing Home Administrators

Sharon Tharp, Board of Optometry

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

Margaret "Peggy" Whitworth, Board of Pharmacy

Todd Bradley, Board of Physical and Occupational Therapy

Joseph Molnar, Board of Physician Assistants

Charles Thomas, Plumbing and Mechanical Systems Examining Board

Brita Van Horne, Plumbing and Mechanical Systems Examining Board

Gregory Lantz, Board of Podiatry

John Bilsten, Iowa Power Fund Board

James Riordan, Chair of the Public Employment Relations Board

James Kesterson, Real Estate Appraiser Examining Board

Gregory Morehead, Real Estate Appraiser Examining Board

Judith Stevens, Real Estate Commission

Beth Harms, Board of Social Work

Krista Mattson, Board of Social Work

Pamela Duffy, Iowa Telecommunications and Technology Commission

Marilyn Monroe, Vision Iowa Board

Joan Axel, Commission on the Status Of Women

Thomas Carnahan, Commission on the Status Of Women

Kenneth Anderson, Iowa Workforce Development Board

Deborah Groene, Iowa Workforce Development Board

Senator Gronstal moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Heckroth

The appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

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 10, 2010, **passed** the following bill in which the concurrence of the House was asked:

[Senate File 2325](#), a bill for an act relating to the practice of mortuary science and to the preneed sale of cemetery and funeral merchandise and funeral services and providing a penalty.

ALSO: That the House has on March 10, 2010, **amended and adopted** the following resolution in which the concurrence of the Senate is asked:

[Senate Joint Resolution 2007](#), a joint resolution supporting the preservation efforts for the Battleship Iowa, BB-61. ([S-5238](#))

ALSO: That the House has on March 10, 2010, **amended and passed** the following bill in which the concurrence of the Senate is asked:

[Senate File 2274](#), a bill for an act relating to certain national security and military education benefits and programs. ([S-5236](#))

ALSO: That the House has on March 10, 2010, **passed** the following bill in which the concurrence of the Senate is asked:

[House File 2193](#), a bill for an act relating to emergency medical care providers, emergency medical care service programs and emergency medical care services training programs, and providing penalties.

Read first time and attached to **similar** [Senate File 2311](#).

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 6:32 p.m. until 8:45 a.m., Thursday, March 11, 2010.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: Wednesday, March 10, 2010, 11:20 a.m.

Members Present: Fraise, Chair; Olive, Vice Chair; Johnson, Ranking Member; Appel, Behn, Black, Boettger, Hancock, Kibbie, Rielly, Seng, and Sodders.

Members Absent: Courtney, Hahn, and Kapucian (all excused).

Committee Business: Approved governor's appointees.

Adjourned: 11:30 a.m.

ENVIRONMENT AND ENERGY INDEPENDENCE

Convened: Wednesday, March 10, 2010, 12:40 p.m.

Members Present: Hogg, Vice Chair; Behn, Ranking Member; Bolkcom, Hancock, Reynolds, Rielly, and Wilhelm.

Members Absent: Black, Chair; Hartsuch, Stewart, and Ward (all excused).

Committee Business: Approved governor's appointees.

Adjourned: 12:45 p.m.

HUMAN RESOURCES

Convened: Wednesday, March 10, 2010, 11:00 a.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: Approved governor's appointees.

Adjourned: 11:15 a.m.

JUDICIARY

Convened: Wednesday, March 10, 2010, 12:15 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: Approved governor's appointees.

Adjourned: 12:25 p.m.

LOCAL GOVERNMENT

Convened: Wednesday, March 10, 2010, 12:05 p.m.

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

Members Absent: Kapucian and McCoy (both excused).

Committee Business: Approved governor's appointees.

Adjourned: 12:10 p.m.

RULES AND ADMINISTRATION

Convened: Wednesday, March 10, 2010, 2:20 p.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; McKinley, Ranking Member; Courtney, Danielson, Dearden, Dvorsky, Kettering, and Zaun.

Members Absent: Boettger and Ragan (both excused).

Committee Business: Passed [SR 108](#).

Adjourned: 2:25 p.m.

TRANSPORTATION

Convened: Wednesday, March 10, 2010, 11:05 a.m.

Members Present: Rielly, Chair; Beall, Vice Chair; Noble, Ranking Member; Dandekar, Hahn, Hancock, McCoy, Reynolds, Warnstadt, and Zaun.

Members Absent: Danielson, Heckroth, and Kapucian (all excused).

Committee Business: Approved governor's appointees.

Adjourned: 11:10 a.m.

WAYS AND MEANS

Convened: Wednesday, March 10, 2010, 1:05 p.m.

Members Present: Bolkcom, Chair; Zaun, Ranking Member; Bartz, Dandekar, Dotzler, Hamerlinck, Hogg, Houser, Jochum, Quirnbach, Schmitz, Seng, Stewart, and Wilhelm.

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

Committee Business: Approved governor's appointee.

Adjourned: 1:10 p.m.

INTRODUCTION OF RESOLUTION

[Senate Resolution 109](#), by Jochum, a resolution celebrating the centennial anniversary of the Dubuque Visiting Nurse Association.

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

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 10, 2010, the Governor approved and transmitted to the Secretary of State the following bills:

[Senate File 2088](#) – Concerning state government reorganization and efficiency, making appropriations, establishing fees and penalties, and providing effective and applicability provisions.

[Senate File 2138](#) – Relating to the rights of a donee created by an anatomical gift.

[Senate File 2194](#) – Making technical changes to the laws relating to elections and voter registration and including effective date and applicability provisions.

[Senate File 2243](#) – Regarding matters under the purview of the department of natural resources, and including effective date provisions.

[Senate File 2246](#) – Relating to the regulation of motor vehicles by the department of transportation, including modification of the definition of business-trade truck, provisions concerning licensing sanctions and penalties for vehicle recyclers and motor vehicle dealers, annual registration fees for certain vehicles equipped for a person with a disability or used by a person who relies on a wheelchair, requirements for the issuance of temporary persons with disabilities parking permits, and provisions for the operation of certain taxicabs and limousines.

[Senate File 2266](#) – Creating the local public health governance Act, and providing penalties.

[Senate File 2355](#) – Relating to the licensure of persons engaged in fire protection system installation, maintenance, repair, service, or inspection.

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:

AGRICULTURE

Cheryl Adam – Agricultural Development Authority
Lisa Irlbeck – Agricultural Development Authority
Jayme Unga – Agricultural Development Authority

Joseph Sinclair – Iowa Grain Indemnity Fund Board
Curtis Sindergard – Iowa Grain Indemnity Fund Board

Jody Kerns – State Soil Conservation Committee

EDUCATION

Susan Smith – Iowa Autism Council
Charles Wadle – Iowa Autism Council
Patrick Westhoff – Iowa Autism Council

Rosemarie Hussey – State Board of Education

Tammy Duehr – Board of Educational Examiners
Laura Stevens – Board of Educational Examiners

Alice Atkinson – Iowa Empowerment Board
Jerome Mohr – Iowa Empowerment Board
Sara Monroy-Huddleston – Iowa Empowerment Board
John White – Iowa Empowerment Board

Stephanie Savage – Iowa Higher Education Loan Authority

Connie Maxson – School Budget Review Committee
Leland Tack – School Budget Review Committee

Atul Gupta – Technology Governance Board

HUMAN RESOURCES

Troy Kleese – Board of Athletic Training
Shaun McCarthy – Board of Athletic Training

Kenneth Fann – Board of Behavioral Science
Megan Murphy – Board of Behavioral Science

Gerald Magee – Child Advocacy Board
Roberta Payne – Child Advocacy Board
Michael Steele – Child Advocacy Board
Nancylee Ziese – Child Advocacy Board

Jerry Foxhoven – Child Welfare Advisory Committee
Nancy Magnall – Child Welfare Advisory Committee

Claibourne Dungy – Prevention of Disabilities Policy Council
Scott Lindgren – Prevention of Disabilities Policy Council
Maggie Tinsman – Prevention of Disabilities Policy Council

Kimberly Carson – Healthy and Well Kids in Iowa (HAWK-I) Board
Joseph Hutter – Healthy and Well Kids in Iowa (HAWK-I) Board

Lynn Crannell – Mental Health, Mental Retardation, Developmental Disabilities
and Brain Injury Commission

Richard Crouch – Mental Health, Mental Retardation, Developmental Disabilities
and Brain Injury Commission

Richard Heitmann – Mental Health, Mental Retardation, Developmental
Disabilities and Brain Injury Commission

Jacobus Lempers – Mental Health, Mental Retardation, Developmental Disabilities
and Brain Injury Commission

Raymond Todd – Mental Health, Mental Retardation, Developmental Disabilities
and Brain Injury Commission

Gano Whetstone – Mental Health, Mental Retardation, Developmental Disabilities
and Brain Injury Commission

Judy Gouldsmith – Board of Sign Language Interpreters and Translitterators
David Theobald – Board of Sign Language Interpreters and Translitterators

Cathryn Callaway – Commission on Tobacco Use Prevention and Control
Gary Streit – Commission on Tobacco Use Prevention and Control

JUDICIARY

Sheryl Griffith – Board of Corrections

Thomas Ferguson – Criminal and Juvenile Justice Planning Advisory Council

Paul Fitzgerald – Criminal and Juvenile Justice Planning Advisory Council

Michelle Leonard – Criminal and Juvenile Justice Planning Advisory Council

Catherine Reaman-Gerdes – Criminal and Juvenile Justice Planning Advisory
Council

John Spinks – Criminal and Juvenile Justice Planning Advisory Council

Thomas Walton – Criminal and Juvenile Justice Planning Advisory Council

Jennifer Davis – Iowa Drug Policy Advisory Council

Eric Snyder – Iowa Drug Policy Advisory Council

Brian Vos – Iowa Drug Policy Advisory Council

Patrick Jackson – Iowa Law Enforcement Academy Council

Elizabeth Robinson – Chair of the Board of Parole

Elizabeth Robinson – Board of Parole

LOCAL GOVERNMENT

Wayne Clinton – Mental Health Risk Pool Board

Marjorie Pitts – Mental Health Risk Pool Board

Peggy Rice – Mental Health Risk Pool Board

TRANSPORTATION

Nancy Richardson – Director of Transportation

Barry Cleaveland – State Transportation Commission

Donald Wiley – State Transportation Commission

VETERANS AFFAIRS

Patrick Palmersheim – Executive Director of the Commission of Veterans Affairs

Becky Dirks Haugsted – Commission of Veterans Affairs

Todd Jacobus – Commission of Veterans Affairs

Darlene McMartin – Commission of Veterans Affairs

**GOVERNOR'S APPOINTEE PLACED ON
INDIVIDUAL CONFIRMATION CALENDAR**

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

JUDICIARY

Ricardo Martinez II – Iowa Law Enforcement Academy Council

LOCAL GOVERNMENT

Dennis Plautz – City Development Board

WAYS AND MEANS

Mark Schuling – Director of Revenue

APPOINTMENTS

The following appointees were resubmitted, with corrections to the originally submitted term dates, to the Secretary of the Senate for Senate confirmation (all appointees are submitted as **members** unless otherwise specified):

BY THE GOVERNOR

TERM

IOWA ECONOMIC DEVELOPMENT BOARD (Sec. 15.103)

John Lisle, Clarinda

05/01/2010 – 04/30/2014

Daniel White, Dubuque

05/01/2010 – 04/30/2012

AMENDMENTS FILED

<u>S-5220</u>	<u>S.F. 2368</u>	Randy Feenstra
<u>S-5221</u>	<u>S.F. 2156</u>	House
<u>S-5222</u>	<u>S.F. 2200</u>	House
<u>S-5223</u>	<u>S.F. 2254</u>	House
<u>S-5224</u>	<u>S.F. 2318</u>	House
<u>S-5225</u>	<u>S.F. 2286</u>	House
<u>S-5226</u>	<u>S.F. 2367</u>	Merlin Bartz
<u>S-5227</u>	<u>S.F. 2367</u>	Steve Kettering
<u>S-5228</u>	<u>S.F. 2345</u>	Keith A. Kreiman
<u>S-5229</u>	<u>S.F. 2367</u>	Merlin Bartz
<u>S-5230</u>	<u>H.F. 681</u>	Brad Zaun

<u>S-5231</u>	<u>H.F. 777</u>	Pam Jochum
<u>S-5232</u>	<u>S.F. 2367</u>	Jeff Danielson
<u>S-5233</u>	<u>H.F. 2229</u>	Steve Warnstadt
<u>S-5234</u>	<u>H.F. 726</u>	Robert M. Hogg
<u>S-5235</u>	<u>S.F. 2357</u>	House
<u>S-5236</u>	<u>S.F. 2274</u>	House
<u>S-5237</u>	<u>S.F. 431</u>	House
<u>S-5238</u>	<u>S.J.R. 2007</u>	House