

PROOF

STATE OF IOWA

Senate Journal

THURSDAY, MARCH 11, 2010

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JOURNAL OF THE SENATE

SIXTIETH CALENDAR DAY
THIRTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 11, 2010

The Senate met in regular session at 8:53 a.m., President Kibbie presiding.

Prayer was offered by Pastor Jane Shepherd of the Gowrie United Methodist Church in Gowrie, Iowa. She was the guest of Senator Beall.

The Journal of Wednesday, March 10, 2010, was approved.

INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced Mark Schuling, the governor's appointee to be the Director of Revenue. He was the guest of Senator Bolkcom and the committee on Ways and Means.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate Resolution 106](#).

[Senate Resolution 106](#)

On motion of Senator Wilhelm, [Senate Resolution 106](#), a resolution designating March 2010 as Iowa Women's History Month, with report of committee recommending passage, was taken up for consideration.

Senator Wilhelm moved the adoption of [Senate Resolution 106](#), which motion prevailed by a voice vote.

SPECIAL GUESTS

In celebration of Women's History Month, Senators Reynolds and Wilhelm welcomed student winners of the 26th Annual "Write Women Back Into History" Essay Contest to the Senate chamber.

The contest is sponsored by the Iowa Commission on the Status of Women, the Iowa Department of Education, and the State Historical Society of Iowa.

Sixth and Seventh Grades:

First Place: Gaby Baker of Central Elementary in Alleman

Second Place: Olivia Dawson of George Washington Middle School in Dubuque

Third Place: Tess Van Den Hurk-Moran of Emmetsburg Middle School in Emmetsburg

Eighth and Ninth Grades:

First Place: Bethany Lehman of Nashua-Plainfield High School in Nashua

Second Place: Joy Gnade of Midland Community School in Wyoming

Third Place: Michaela Hoffelmeyer of Winterset High School in Winterset

Best Essay on Women in Science and Engineering for Sixth and Seventh Grades:

First Place: Emily Bonnstetter of Emmetsburg Middle School in Emmetsburg

Second Place: Alexander Erlandson of Prairie Creek Intermediate School of Cedar Rapids

Best Essay on Women in Science and Engineering for Eighth and Ninth Grades:

First Place: Kierstyn Feld of Pleasant Valley Junior High School in LeClaire

The Senate rose and expressed its welcome.

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 bills in which the concurrence of the House was asked:

[Senate File 2272](#), a bill for an act relating to the Iowa life and health insurance guaranty association regarding coverage, benefits, duties, powers, rights, the operation of the Iowa life and health insurance guaranty association, and the coordination of coverage and benefits with those of similar associations of other states, and to the Iowa insurance guaranty association with respect to covered claims, benefits, limitations, duties, and powers of the Iowa insurance guaranty association, and coordination and cooperation by it with similar associations of other states.

[Senate File 2326](#), a bill for an act modifying disciplinary provisions applicable to real estate brokers and salespersons.

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 2224](#), a bill for an act relating to boards of administration for horizontal property. ([S-5239](#))

The Senate stood at ease at 9:08 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:22 a.m., President Kibbie presiding.

UNFINISHED BUSINESS
(Deferred March 10, 2010)

[Senate File 2370](#)

The Senate resumed consideration of [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, and amendment [S-5203](#), deferred March 10, 2010.

Senator Seng moved the adoption of amendment [S-5203](#).

Amendment [S-5203](#) was adopted by a voice vote.

President Pro Tempore Danielson took the chair at 10:37 a.m.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Heckroth, until he arrives, on request of Senator Schoenjahn.

Senator Seng 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. 2370](#)), the vote was:

Yeas, 29:

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

Nays, 20:

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

Absent, 1:

Heckroth

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 Dandekar, until she returns, on request of Senator McCoy.

HOUSE AMENDMENT CONSIDERED

[Senate File 2357](#)

Senator Kreiman called up for consideration [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, amended by the House in House amendment [S-5235](#), filed March 10, 2010.

Senator Kreiman 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 Kreiman 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. 2357](#)), the vote was:

Yeas, 36:

Appel	Hamerlinck	Kettering	Rielly
Beall	Hancock	Kibbie	Schmitz
Bolkcom	Hatch	Kreiman	Schoenjahn
Courtney	Hogg	McCoy	Seng
Danielson	Horn	Noble	Sodders
Dotzler	Houser	Olive	Stewart
Dvorsky	Jochum	Quirnbach	Ward
Fraise	Johnson	Ragan	Warnstadt
Gronstal	Kapucian	Reynolds	Wilhelm

Nays, 12:

Bartz	Boettger	Hahn	Seymour
Behn	Dearden	Hartsuch	Wieck
Black	Feenstra	McKinley	Zaun

Absent, 2:

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

HOUSE AMENDMENT CONSIDERED

Senate File 2345

Senator Kreiman called up for consideration Senate File 2345, a bill for an act relating to judicial branch administration, child custody and visitation matters, amended by the House in House amendment S-5163, filed March 10, 2010.

Senator Kreiman offered amendment S-5228, filed by him on March 10, 2010, to page 1 of House amendment S-5163, and moved its adoption.

Amendment S-5228 was adopted by a voice vote.

Senator Kreiman moved that the Senate concur in the House amendment, as amended.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment, as amended.

Senator Kreiman moved that the bill, as amended by the House, further amended 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. 2345), the vote was:

Yeas, 48:

Appel	Feenstra	Johnson	Rielly
Bartz	Fraise	Kapucian	Schmitz
Beall	Gronstal	Kettering	Schoenjahn
Behn	Hahn	Kibbie	Seng

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

Nays, none.

Absent, 2:

Dandekar Heckroth

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

HOUSE AMENDMENT CONSIDERED

[Senate File 153](#)

Senator Dotzler called up for consideration [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, amended by the House in House amendment [S-5197](#), filed March 8, 2010.

Senator Dotzler 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 Dotzler 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. 153](#)), the vote was:

Yeas, 40:

Appel	Dvorsky	Jochum	Reynolds
Bartz	Fraise	Johnson	Rielly
Beall	Gronstal	Kapucian	Schmitz

Black	Hahn	Kibbie	Schoenjahn
Boettger	Hamerlinck	Kreiman	Seng
Bolkcom	Hancock	McCoy	Sodders
Courtney	Hatch	Noble	Stewart
Danielson	Hogg	Olive	Warnstadt
Dearden	Horn	Quirnbach	Wilhelm
Dotzler	Houser	Ragan	Zaun

Nays, 8:

Behn	Hartsuch	McKinley	Ward
Feenstra	Kettering	Seymour	Wieck

Absent, 2:

Dandekar	Heckroth
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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.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 726 and 674.

House File 726

On motion of Senator Hogg, [House File 726](#), a bill for an act providing for unincorporated nonprofit associations, and providing for fees and penalties, with report of committee recommending passage, was taken up for consideration.

Senator Hogg offered amendment [S-5234](#), filed by him on March 10, 2010, to pages 19, 20, and 22 of the bill, and moved its adoption.

Amendment [S-5234](#) 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. 726](#)), the vote was:

Yeas, 48:

Appel	Feenstra	Johnson	Rielly
Bartz	Fraise	Kapucian	Schmitz
Beall	Gronstal	Kettering	Schoenjahn
Behn	Hahn	Kibbie	Seng

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

Nays, none.

Absent, 2:

Dandekar Heckroth

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

Senator Warnstadt took the chair at 11:31 a.m.

[House File 674](#)

On motion of Senator Hancock, [House File 674](#), 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, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hancock offered amendment [S-5195](#), filed by the committee on Judiciary on March 8, 2010, to page 1 of the bill, and moved its adoption.

Amendment [S-5195](#) was adopted by a voice vote.

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

Yeas, 48:

Appel	Feenstra	Johnson	Rielly
Bartz	Fraise	Kapucian	Schmitz
Beall	Gronstal	Kettering	Schoenjahn
Behn	Hahn	Kibbie	Seng

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

Nays, none.

Absent, 2:

Dandekar 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 **Senate Files 153, 2345, 2357, and 2370** and **House Files 674 and 726** 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 426, 2392, 2377, and 2294.

[House File 426](#)

On motion of Senator Sodders, [House File 426](#), a bill for an act relating to reporting requirements for traffic accidents involving the operation of motor vehicles by reserve peace officers, 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. 426](#)), the vote was:

Yeas, 48:

Appel	Feenstra	Johnson	Rielly
Bartz	Fraise	Kapucian	Schmitz
Beall	Gronstal	Kettering	Schoenjahn

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

Nays, none.

Absent, 2:

Dandekar Heckroth

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

[House File 2392](#)

On motion of Senator Kreiman, [House File 2392](#), a bill for an act relating to the abuse of a corpse and providing penalties, 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. 2392](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Dandekar Heckroth

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

[House File 2377](#)

On motion of Senator Kreiman, [House File 2377](#), a bill for an act relating to extending a period of probation and including applicability provisions, 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. 2377](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Dandekar Heckroth

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

House File 2294

On motion of Senator Reynolds, [House File 2294](#), a bill for an act relating to the distribution of moneys from the disaster aid individual assistance grant fund, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Reynolds offered amendment [S-5172](#), filed by the committee on Rebuild Iowa on March 1, 2010, to page 1 of the bill, and moved its adoption.

Amendment [S-5172](#) was adopted by a voice vote.

Senator Reynolds 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. 2294](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Dandekar	Heckroth
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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 426, 2294, 2377, and 2392** be **immediately messaged** to the House.

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:

Claire Celsi, Alcoholic Beverages Commission

Saleem Baig, Architectural Examining Board

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

Charles Wadle, Iowa Autism Council
Patrick Westhoff, Iowa Autism Council

Charles Wubbena, Board of Barbering

Kenneth Fann, 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

Leslie Duinink, Board of Chiropractic

Joyce Hoepker, Commission on Community Action Agencies

Sheryl Griffith, Board of Corrections

Thomas Ferguson, Criminal and Juvenile Justice Planning
Advisory Council

Paul Fitzgerald, 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

Michael Rovner, Board of Dentistry
Kimberlee Spillers, Board of Dentistry

Maggie Tinsman, Prevention of Disabilities Policy Council

Eric Snyder, Iowa Drug Policy Advisory Council
Brian Vos, Iowa Drug Policy Advisory Council

George "Curtis" Baugh, 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
Andrea McGuire, Iowa Economic Development Board
Robert Riley, Jr., Iowa Economic Development Board
Daniel White, Iowa Economic Development Board

Tammy Duehr, Board of Educational Examiners

Alice Atkinson, Iowa Empowerment Board
John White, Iowa Empowerment Board

Curtis Sindergard, Iowa Grain Indemnity Fund Board

Theresa Lynch, Iowa Great Places Board

Joseph Hutter, Healthy and Well Kids in Iowa (HAWK-I) Board

Stephanie Savage, Iowa Higher Education Loan Authority

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

Christopher Seeger, Landscape Architectural Examining Board

Michael Klappholz, Iowa Lottery Authority Board of Directors

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

Charles Follett, Board of Optometry

Elizabeth Robinson, Chair of the Board of Parole

Elizabeth Robinson, Board of Parole

Eric Barp, Board of Podiatry

Fred Hubbell, Iowa Power Fund Board

Gregory Seyfer, State Racing and Gaming Commission

Kerry George, Board of Respiratory Care

Connie Maxson, School Budget Review Committee

David Theobald, Board of Sign Language Interpreters and
Transliterators

David Stone, Board of Social Work

Atul Gupta, Technology Governance Board

Gary Streit, Commission on Tobacco Use Prevention and Control

Barry Cleaveland, State Transportation Commission

Donald Wiley, State Transportation Commission

Patrick Palmersheim, Executive Director of the Commission of
Veterans Affairs

Todd Jacobus, Commission of Veterans Affairs

Dean Upton, Iowa Board of Veterinary Medicine

Fred Diehl, Vision Iowa Board

Jill Olsen, Commission on the Status of Women

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

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

Yeas, 48:

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

Nays, none.

Absent, 2:

Dandekar Heckroth

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

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Gronstal called up the appointment of Stephen Larson as Administrator of the Alcoholic Beverages Division, placed on the Individual Confirmation Calendar on March 9, 2010, found on page 752 of the Senate Journal.

Senator Kibbie moved that the foregoing appointment be confirmed by the Senate.

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

Yeas, 47:

Appel	Feenstra	Johnson	Rielly
Bartz	Fraise	Kapucian	Schmitz
Beall	Gronstal	Kettering	Schoenjahn

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

Nays, 1:

Zaun

Absent, 2:

Dandekar Heckroth

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

Senator Gronstal called up the appointment of Kay Pence as a member of the Electrical Examining Board, placed on the Individual Confirmation Calendar on February 2, 2010, found on page 259 of the Senate Journal.

Senator Horn moved that the foregoing appointment be confirmed by the Senate.

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

Yeas, 48:

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

Dearden	Horn	Quirnbach	Wieck
Dotzler	Houser	Ragan	Wilhelm
Dvorsky	Jochum	Reynolds	Zaun

Nays, none.

Absent, 2:

Dandekar Heckroth

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

Senator Gronstal called up the appointment of Jack P. Ketterer as Director of the State Racing and Gaming Commission, placed on the Individual Confirmation Calendar on March 9, 2010, found on page 752 of the Senate Journal.

Senator Horn moved that the foregoing appointment be confirmed by the Senate.

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

Yeas, 47:

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

Nays, 1:

Hamerlinck

Absent, 2:

Dandekar Heckroth

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

Senator Gronstal called up the appointment of Mark Schuling as Director of Revenue, placed on the Individual Confirmation Calendar on March 10, 2010, found on page 785 of the Senate Journal.

Senator Bolkcom moved that the foregoing appointment be confirmed by the Senate.

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

Yeas, 48:

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

Nays, none.

Absent, 2:

Dandekar Heckroth

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

BILLS PLACED ON UNFINISHED BUSINESS CALENDAR

Senator Gronstal asked and received unanimous consent that the following bills be placed on the Unfinished Business Calendar:

<u>SF 2290</u>	<u>SF 2335</u>	<u>HF 713</u>
<u>HF 763</u>	<u>HF 2198</u>	<u>HF 2295</u>
<u>HF 2310</u>	<u>HF 2321</u>	<u>HF 2384</u>
<u>HF 2405</u>	<u>HF 2409</u>	<u>HF 2414</u>
<u>HF 2418</u>	<u>HF 2432</u>	<u>HF 2437</u>
<u>HF 2438</u>	<u>HF 2453</u>	<u>HF 2458</u>
<u>HF 2461</u>	<u>HF 2473</u>	<u>HF 2487</u>
<u>HF 2495</u>	<u>HF 2496</u>	

SPECIAL GUEST

Senator Warnstadt welcomed to the Senate chamber the Honorable Bill Witt, former member of the House from Black Hawk County, Cedar Falls, Iowa.

The Senate rose and expressed its welcome.

RECESS

On motion of Senator Gronstal, the Senate recessed at 12:17 p.m. until 4:30 p.m.

RECONVENED

The Senate reconvened at 4:51 p.m., Senator Dotzler presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 11, 2010, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 393](#), a bill for an act relating to access to obscene materials and child in need of assistance proceedings and child abuse reporting.

[Senate File 2178](#), a bill for an act relating to textbooks and laptop computers or other personal portable computing devices adopted for use by school districts and provided to public and accredited nonpublic school students.

ALSO: That the House has on March 11, 2010, **concurred** in the Senate amendment **and passed** the following bills in which the concurrence of the House was asked:

[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.

[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.

[House File 2478](#), a bill for an act relating to business organizations, including limited liability companies and business corporations, and providing for fees.

ALSO: That the House has on March 11, 2010, **amended and passed** the following bills in which the concurrence of the Senate is asked:

[Senate File 2343](#), a bill for an act relating to the appointment of judicial officers and senior judges. ([S-5241](#))

[Senate File 2352](#), a bill for an act relating to the emergency hospitalization of a person with a serious mental impairment. ([S-5240](#))

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 4:53 p.m. until 1:00 p.m., Monday, March 15, 2010.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Bernice Boston, Oskaloosa—For celebrating her 95th birthday. Senator Rielly (3/11/10).

Robert and Carolyn Burrell, Victor—For celebrating their 50th wedding anniversary. Senator Rielly (3/11/10).

Winston and Carolyn Claypool, North English—For celebrating their 50th wedding anniversary. Senator Rielly (3/11/10).

Marjorie Gambell, Hedrick—For celebrating her 90th birthday. Senator Rielly (3/11/10).

Tyler Sash, Oskaloosa—For making second team All-American, 2009 University of Iowa football team. Senator Rielly (3/11/10).

Gene Sheely, Oskaloosa—For celebrating his 90th birthday. Senator Rielly (3/11/10).

Pastor Jane Shepherd, Gowrie United Methodist Church—In appreciation for leading the Iowa Senate in prayer as Pastor of the Day. Senator Beall (3/11/10).

PRESENTATION OF VISITORS

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

International exchange high school students from Afghanistan, Russian, and Ukraine, accompanied by former Representative Bill Witt. Senators Danielson and Dotzler.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: Thursday, March 11, 2010, 12:25 p.m.

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

Members Absent: None.

Committee Business: Approved [SSB 3248](#).

Recessed: 12:30 p.m.

Reconvened: 1:10 p.m.

Adjourned: 1:25 p.m.

VETERANS AFFAIRS

Convened: Wednesday, March 3, 2010, 10:45 a.m.

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

Members Absent: None.

Committee Business: Passed HF's 755, 2198, 2321, 2384, and 2414.

Adjourned: 11:05 a.m.

ALSO:

Convened: Tuesday, March 9, 2010, 6:00 p.m.

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

Members Absent: Warnstadt, Vice Chair (excused).

Committee Business: Approved governor's appointees.

Adjourned: 6:20 p.m.

STUDY BILLS RECEIVED

[SSB 3249](#) **Appropriations**

Relating to state financial matters, providing for properly related matters, and including effective date and retroactive applicability provisions.

[SSB 3250](#) **Ways and Means**

Relating to taxation, including the administration and review of certain economic development programs and certain tax incentive

programs and the reenactment of the estate tax and including effective date and retroactive and other applicability provisions.

SUBCOMMITTEE ASSIGNMENTS

House File 816

WAYS AND MEANS: Hogg, Chair; Dotzler and Feenstra

SSB 3249

APPROPRIATIONS: Dvorsky, Chair; and Kettering

SSB 3250

WAYS AND MEANS: Bolkcom, Chair; Bartz, Dotzler, McCoy, and Zaun

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:

EDUCATION

Karn Johansen (Palmer) – Iowa Autism Council

ENVIRONMENT AND ENERGY INDEPENDENCE

Diane Dennler – Renewable Fuel Infrastructure Board
Cindi Grover – Renewable Fuel Infrastructure Board
K. Alan Hillgren – Renewable Fuel Infrastructure Board
Jeff Hove – Renewable Fuel Infrastructure Board

REFERRAL TO INDIVIDUAL CONFIRMATION CALENDAR

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

Ruth MacDonald – Iowa Economic Development Board

STEVE KETTERING

REFERRAL TO INDIVIDUAL CONFIRMATION CALENDAR

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

Patrick Jackson – Iowa Law Enforcement Academy Council

LARRY NOBLE

AMENDMENTS FILED

S-5239	S.F. 2224	House
S-5240	S.F. 2352	House
S-5241	S.F. 2343	House