

PROOF

STATE OF IOWA

Senate Journal

MONDAY, MARCH 14, 2011

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JOURNAL OF THE SENATE

SIXTY-FOURTH CALENDAR DAY
THIRTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 14, 2011

The Senate met in regular session at 1:05 p.m., President Kibbie presiding.

A moment of silence was observed in honor of the earthquake victims in Japan.

Prayer was offered by Reverend Aldon Kuiper, pastor of the Trinity Christian Reformed Church in Rock Valley, Iowa. He was the guest of Senator Feenstra.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jared Elm.

The Journal of Thursday, March 10, 2011, was approved.

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 9, 2011, **passed** the following bill in which the concurrence of the Senate is asked:

[House File 525](#), a bill for an act relating to public employee collective bargaining agreements and including applicability provisions.

Read first time and referred to committee on **Labor and Business Relations**.

BILL REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that [Senate File 395](#) be referred from the Regular Calendar to the committee on **Ways and Means**.

SPECIAL GUEST

Senator Sorenson introduced to the Senate chamber the honorable Glen Bortell, former member of the Senate from Adair County, St. Charles, Iowa.

The Senate rose and expressed its welcome.

The Senate stood at ease at 1:24 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:15 p.m., President Kibbie presiding.

RECESS

On motion of Senator Courtney, the Senate recessed at 2:16 p.m. until 3:15 p.m.

AFTERNOON SESSION

The Senate reconvened at 3:30 p.m., President Kibbie presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Houser, until he arrives, on request of Senator Kettering; and Senator Dearden, until he arrives, on request of Senator Gronstal.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 495, 483, 470, 469, and 468.

Senate File 495

On motion of Senator Wilhelm, [Senate File 495](#), a bill for an act relating to the long-term care ombudsman program, 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?" ([S.F. 495](#)), the vote was:

Yeas, 48:

Anderson	Dandekar	Hancock	Ragan
Bacon	Danielson	Hatch	Rielly
Bartz	Dix	Hogg	Schoenjahn
Beall	Dotzler	Horn	Seng
Behn	Dvorsky	Jochum	Seymour
Bertrand	Ernst	Johnson	Smith
Black	Feenstra	Kapucian	Sodders
Boettger	Fraise	Kettering	Sorenson
Bolkcom	Greiner	Kibbie	Ward
Bowman	Gronstal	McCoy	Whitver
Chelgren	Hahn	McKinley	Wilhelm
Courtney	Hamerlinck	Quirmbach	Zaun

Nays, none.

Absent, 2:

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

Senate File 483

On motion of Senator Dvorsky, [Senate File 483](#), a bill for an act relating to licensure by the board of educational examiners of persons who complete an administrator preparation program offered by a regionally accredited or board of educational examiners' approved non-Iowa institution, was taken up for consideration.

Senator Dvorsky 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. 483](#)), the vote was:

Yeas, 49:

Anderson	Danielson	Hatch	Schoenjahn
Bacon	Dearden	Hogg	Seng
Bartz	Dix	Horn	Seymour
Beall	Dotzler	Jochum	Smith
Behn	Dvorsky	Johnson	Sodders
Bertrand	Ernst	Kapucian	Sorenson
Black	Feenstra	Kettering	Ward
Boettger	Fraise	Kibbie	Whitver
Bolkcom	Greiner	McCoy	Wilhelm
Bowman	Gronstal	McKinley	Zaun
Chelgren	Hahn	Quirnbach	
Courtney	Hamerlinck	Ragan	
Dandekar	Hancock	Rielly	

Nays, none.

Absent, 1:

Houser

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

[Senate File 470](#)

On motion of Senator Beall, [Senate File 470](#), a bill for an act relating to the duties and operations of the state's community colleges, 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?" ([S.F. 470](#)), the vote was:

Yeas, 49:

Anderson	Danielson	Hatch	Schoenjahn
Bacon	Dearden	Hogg	Seng
Bartz	Dix	Horn	Seymour
Beall	Dotzler	Jochum	Smith

Behn	Dvorsky	Johnson	Sodders
Bertrand	Ernst	Kapucian	Sorenson
Black	Feenstra	Kettering	Ward
Boettger	Fraise	Kibbie	Whitver
Bolkcom	Greiner	McCoy	Wilhelm
Bowman	Gronstal	McKinley	Zaun
Chelgren	Hahn	Quirmbach	
Courtney	Hamerlinck	Ragan	
Dandekar	Hancock	Rielly	

Nays, none.

Absent, 1:

Houser

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

Senate File 469

On motion of Senator Wilhelm, [Senate File 469](#), a bill for an act relating to vehicular transportation for students and making penalties applicable, 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?" ([S.F. 469](#)), the vote was:

Yeas, 26:

Beall	Dearden	Hogg	Rielly
Black	Dotzler	Horn	Schoenjahn
Bolkcom	Dvorsky	Jochum	Seng
Bowman	Fraise	Kibbie	Sodders
Courtney	Gronstal	McCoy	Wilhelm
Dandekar	Hancock	Quirmbach	
Danielson	Hatch	Ragan	

Nays, 23:

Anderson	Chelgren	Hamerlinck	Smith
Bacon	Dix	Johnson	Sorenson
Bartz	Ernst	Kapucian	Ward

Behn	Feenstra	Kettering	Whitver
Bertrand	Greiner	McKinley	Zaun
Boettger	Hahn	Seymour	

Absent, 1:

Houser

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

[Senate File 468](#)

On motion of Senator Quirnbach, [Senate File 468](#), a bill for an act prohibiting use by any student enrolled in a school district and use on school grounds of nicotine products and providing restrictions for violation of the prohibition, 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?" ([S.F. 468](#)), the vote was:

Yeas, 44:

Anderson	Danielson	Hamerlinck	Ragan
Bacon	Dearden	Hancock	Rielly
Beall	Dix	Hatch	Schoenjahn
Bertrand	Dotzler	Hogg	Seng
Black	Dvorsky	Horn	Seymour
Boettger	Ernst	Jochum	Smith
Bolkcom	Feenstra	Johnson	Sodders
Bowman	Fraise	Kapucian	Sorenson
Chelgren	Greiner	Kibbie	Ward
Courtney	Gronstal	McCoy	Whitver
Dandekar	Hahn	Quirnbach	Wilhelm

Nays, 5:

Bartz	Kettering	Zaun
Behn	McKinley	

Absent, 1:

Houser

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 468, 469, 470, 483, and 495** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 460, 440, 424, 420, and 438.

Senate File 460

On motion of Senator Dandekar, **Senate File 460**, a bill for an act relating to the licensing and regulation of real estate brokers and salespersons, was taken up for consideration.

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

On the question "Shall the bill pass?" (**S.F. 460**), the vote was:

Yeas, 49:

Anderson	Danielson	Hatch	Schoenjahn
Bacon	Dearden	Hogg	Seng
Bartz	Dix	Horn	Seymour
Beall	Dotzler	Jochum	Smith
Behn	Dvorsky	Johnson	Sodders
Bertrand	Ernst	Kapucian	Sorenson
Black	Feenstra	Kettering	Ward
Boettger	Fraise	Kibbie	Whitver
Bolkcom	Greiner	McCoy	Wilhelm
Bowman	Gronstal	McKinley	Zaun
Chelgren	Hahn	Quirnbach	
Courtney	Hamerlinck	Ragan	
Dandekar	Hancock	Rielly	

Nays, none.

Absent, 1:

Houser

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

[Senate File 440](#)

On motion of Senator Quirmbach, [Senate File 440](#), a bill for an act relating to the powers and duties of the college student aid commission in administering certain federal postsecondary financial aid initiatives, was taken up for consideration.

Senator Quirmbach 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. 440](#)), the vote was:

Yeas, 28:

Bartz	Danielson	Gronstal	Quirmbach
Beall	Dearden	Hancock	Ragan
Black	Dotzler	Hatch	Rielly
Bolkcom	Dvorsky	Hogg	Schoenjahn
Bowman	Feenstra	Horn	Seng
Courtney	Fraise	Jochum	Sodders
Dandekar	Greiner	Kibbie	Wilhelm

Nays, 21:

Anderson	Dix	Kettering	Ward
Bacon	Ernst	McCoy	Whitver
Behn	Hahn	McKinley	Zaun
Bertrand	Hamerlinck	Seymour	
Boettger	Johnson	Smith	
Chelgren	Kapucian	Sorenson	

Absent, 1:

Houser

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

[Senate File 424](#)

On motion of Senator Schoenjahn, [Senate File 424](#), a bill for an act relating to the use of statewide school infrastructure funding, was taken up for consideration.

Senator Schoenjahn offered amendment [S-3097](#), filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment [S-3097](#) was adopted by a voice vote.

Senator Schoenjahn 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. 424](#)), the vote was:

Yeas, 49:

Anderson	Danielson	Hatch	Schoenjahn
Bacon	Dearden	Hogg	Seng
Bartz	Dix	Horn	Seymour
Beall	Dotzler	Jochum	Smith
Behn	Dvorsky	Johnson	Sodders
Bertrand	Ernst	Kapucian	Sorenson
Black	Feenstra	Kettering	Ward
Boettger	Fraise	Kibbie	Whitver
Bolkcom	Greiner	McCoy	Wilhelm
Bowman	Gronstal	McKinley	Zaun
Chelgren	Hahn	Quirnbach	
Courtney	Hamerlinck	Ragan	
Dandekar	Hancock	Rielly	

Nays, none.

Absent, 1:

Houser

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

[Senate File 420](#)

On motion of Senator Schoenjahn, [Senate File 420](#), a bill for an act relating to the planning, approval, supplementary weighting, and operation of regional academies and including effective date and applicability provisions, was taken up for consideration.

Senator Boettger offered amendment [S-3063](#), filed by Senators Boettger and Schoenjahn on March 8, 2011, to page 1 of the bill, and moved its adoption.

Amendment [S-3063](#) was adopted by a voice vote.

Senator Schoenjahn 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. 420](#)), the vote was:

Yeas, 49:

Anderson	Danielson	Hatch	Schoenjahn
Bacon	Dearden	Hogg	Seng
Bartz	Dix	Horn	Seymour
Beall	Dotzler	Jochum	Smith
Behn	Dvorsky	Johnson	Sodders
Bertrand	Ernst	Kapucian	Sorenson
Black	Feenstra	Kettering	Ward
Boettger	Fraise	Kibbie	Whitver
Bolkcom	Greiner	McCoy	Wilhelm
Bowman	Gronstal	McKinley	Zaun
Chelgren	Hahn	Quirnbach	
Courtney	Hamerlinck	Ragan	
Dandekar	Hancock	Rielly	

Nays, none.

Absent, 1:

Houser

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

[Senate File 438](#)

On motion of Senator Jochum, [Senate File 438](#), a bill for an act relating to licensing by reciprocity for dentists, 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. 438](#)), the vote was:

Yeas, 49:

Anderson	Danielson	Hatch	Schoenjahn
Bacon	Dearden	Hogg	Seng
Bartz	Dix	Horn	Seymour
Beall	Dotzler	Jochum	Smith
Behn	Dvorsky	Johnson	Sodders
Bertrand	Ernst	Kapucian	Sorenson
Black	Feenstra	Kettering	Ward
Boettger	Fraise	Kibbie	Whitver
Bolkcom	Greiner	McCoy	Wilhelm
Bowman	Gronstal	McKinley	Zaun
Chelgren	Hahn	Quirnbach	
Courtney	Hamerlinck	Ragan	
Dandekar	Hancock	Rielly	

Nays, none.

Absent, 1:

Houser

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 420, 424, 438, 440, and 460** be **immediately messaged** to the House.

UNFINISHED BUSINESS (Deferred March 10, 2011)

[Senate File 364](#)

The Senate resumed consideration of [Senate File 364](#), a bill for an act relating to the licensure of orthotists, prosthetists, and pedorthists and providing for fees and penalties, and amendment [S-3074](#), deferred March 10, 2011.

Senator Sodders offered amendment [S-3094](#), filed by him from the floor to pages 2–6 and 9–11 of the bill, and moved its adoption.

Amendment [S-3094](#) was adopted by a voice vote.

With the adoption of amendment [S-3094](#), the Chair ruled amendment [S-3074](#), previously deferred, out of order.

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?" ([S.F. 364](#)), the vote was:

Yeas, 37:

Anderson	Dearden	Hogg	Schoenjahn
Beall	Dix	Horn	Seng
Behn	Dotzler	Jochum	Sodders
Bertrand	Dvorsky	Kapucian	Sorenson
Black	Fraise	Kettering	Ward
Bolkcom	Greiner	Kibbie	Wilhelm
Bowman	Gronstal	McCoy	Zaun
Courtney	Hahn	Quirnbach	
Dandekar	Hancock	Ragan	
Danielson	Hatch	Rielly	

Nays, 12:

Bacon	Chelgren	Hamerlinck	Seymour
Bartz	Ernst	Johnson	Smith
Boettger	Feenstra	McKinley	Whitver

Absent, 1:

Houser

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

CONSIDERATION OF BILLS
(Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 185 and 184.

House File 185

On motion of Senator Wilhelm, [House File 185](#), a bill for an act establishing the state percent of growth for purposes of the state school foundation program and including effective date and applicability provisions, placed on the Unfinished Business Calendar on March 10, 2011, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Wilhelm offered amendment [S-3048](#), filed by the committee on Education on March 8, 2011, to page 1 of the bill, and moved its adoption.

Amendment [S-3048](#) was adopted by a voice vote.

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

Yeas, 26:

Beall	Dearden	Hogg	Rielly
Black	Dotzler	Horn	Schoenjahn
Bolkcom	Dvorsky	Jochum	Seng
Bowman	Fraise	Kibbie	Sodders
Courtney	Gronstal	McCoy	Wilhelm
Dandekar	Hancock	Quirnbach	
Danielson	Hatch	Ragan	

Nays, 23:

Anderson	Chelgren	Hamerlinck	Smith
Bacon	Dix	Johnson	Sorenson
Bartz	Ernst	Kapucian	Ward
Behn	Feenstra	Kettering	Whitver
Bertrand	Greiner	McKinley	Zaun
Boettger	Hahn	Seymour	

Absent, 1:

Houser

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

House File 184

On motion of Senator Soddors, [House File 184](#), a bill for an act establishing the categorical state percent of growth for purposes of the state school foundation program and including effective date and applicability provisions, placed on the Unfinished Business Calendar on March 10, 2011, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Soddors offered amendment [S-3047](#), filed by the committee on Education on March 8, 2011, to page 1 of the bill, and moved its adoption.

Amendment [S-3047](#) was adopted by a voice vote.

Senator Soddors 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. 184](#)), the vote was:

Yeas, 26:

Beall	Dearden	Hogg	Rielly
Black	Dotzler	Horn	Schoenjahn
Bolkcom	Dvorsky	Jochum	Seng
Bowman	Fraise	Kibbie	Soddors
Courtney	Gronstal	McCoy	Wilhelm
Dandekar	Hancock	Quirnbach	
Danielson	Hatch	Ragan	

Nays, 23:

Anderson	Chelgren	Hamerlinck	Smith
Bacon	Dix	Johnson	Sorenson
Bartz	Ernst	Kapucian	Ward
Behn	Feenstra	Kettering	Whitver
Bertrand	Greiner	McKinley	Zaun
Boettger	Hahn	Seymour	

Absent, 1:

Houser

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 364](#) and **House Files 184 and 185** be **immediately messaged** to the House.

The Senate stood at ease at 5:00 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 5:28 p.m., President Kibbie presiding.

UNFINISHED BUSINESS
(Deferred March 10, 2011)[Senate File 295](#)

The Senate resumed consideration of [Senate File 295](#), a bill for an act relating to donation of newborn umbilical cord blood, and amendment [S-3058](#), deferred March 10, 2011.

Senator Johnson withdrew amendment [S-3058](#).

Senator Johnson withdrew amendment [S-3099](#), filed by him from the floor to page 1 of the bill.

Senator Bolkom 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. 295](#)), the vote was:

Yeas, 47:

Anderson	Danielson	Hancock	Ragan
Bacon	Dearden	Hatch	Rielly
Bartz	Dix	Hogg	Schoenjahn
Beall	Dotzler	Horn	Seng
Behn	Dvorsky	Jochum	Seymour
Bertrand	Ernst	Johnson	Smith
Black	Feenstra	Kapucian	Soddors
Boettger	Fraise	Kettering	Sorenson
Bolkom	Greiner	Kibbie	Ward

Bowman	Gronstal	McCoy	Wilhelm
Courtney	Hahn	McKinley	Zaun
Dandekar	Hamerlinck	Quirnbach	

Nays, 2:

Chelgren	Whitver
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Absent, 1:

Houser

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 Senate Files 365, 430, and 400.

Senate File 365

On motion of Senator Jochum, [Senate File 365](#), a bill for an act relating to the placement of a juvenile on youthful offender status in district court, was taken up for consideration.

Senator Jochum offered amendment [S-3095](#), filed by her from the floor to pages 2-4 of the bill, and moved its adoption.

Amendment [S-3095](#) 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?" ([S.F. 365](#)), the vote was:

Yeas, 49:

Anderson	Danielson	Hatch	Schoenjahn
Bacon	Dearden	Hogg	Seng
Bartz	Dix	Horn	Seymour
Beall	Dotzler	Jochum	Smith
Behn	Dvorsky	Johnson	Sodders
Bertrand	Ernst	Kapucian	Sorenson

Black	Feenstra	Kettering	Ward
Boettger	Fraise	Kibbie	Whitver
Bolkcom	Greiner	McCoy	Wilhelm
Bowman	Gronstal	McKinley	Zaun
Chelgren	Hahn	Quirnbach	
Courtney	Hamerlinck	Ragan	
Dandekar	Hancock	Rielly	

Nays, none.

Absent, 1:

Houser

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

[Senate File 430](#)

On motion of Senator Jochum, [Senate File 430](#), a bill for an act relating to violations of the open records and public meetings laws and the creation of the Iowa public information board, and including effective date provisions, was taken up for consideration.

Senator Jochum offered amendment [S-3101](#), filed by Senator Jochum, et al., from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Chelgren asked and received unanimous consent that action on amendment [S-3101](#) and [Senate File 430](#) be **deferred**.

The Senate stood at ease at 5:45 p.m. until the fall of the gavel.

The Senate resumed session at 6:26 p.m., President Kibbie presiding.

BUSINESS PENDING

[Senate File 430](#)

The Senate resumed consideration of [Senate File 430](#), a bill for an act relating to violations of the open records and public meetings laws and the creation of the Iowa public information board, and

including effective date provisions, and amendment [S-3101](#), previously deferred.

Senator Chelgren offered amendment [S-3103](#), filed by him from the floor to page 4 of amendment [S-3101](#), and moved its adoption.

Amendment [S-3103](#) to amendment [S-3101](#) was adopted by a voice vote.

Senator Jochum moved the adoption of amendment [S-3101](#), as amended.

Amendment [S-3101](#), 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?" ([S.F. 430](#)), the vote was:

Yeas, 49:

Anderson	Danielson	Hatch	Schoenjahn
Bacon	Dearden	Hogg	Seng
Bartz	Dix	Horn	Seymour
Beall	Dotzler	Jochum	Smith
Behn	Dvorsky	Johnson	Sodders
Bertrand	Ernst	Kapucian	Sorenson
Black	Feenstra	Kettering	Ward
Boettger	Fraise	Kibbie	Whitver
Bolkcom	Greiner	McCoy	Wilhelm
Bowman	Gronstal	McKinley	Zaun
Chelgren	Hahn	Quirnbach	
Courtney	Hamerlinck	Ragan	
Dandekar	Hancock	Rielly	

Nays, none.

Absent, 1:

Houser

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 Dearden, for the remainder of the day, on request of Senator Gronstal.

Senate File 400

On motion of Senator Hogg, **Senate File 400**, a bill for an act relating to the conveyance or encumbrance of a homestead by a spouse, was taken up for consideration.

Senator Hogg offered amendment **S-3102**, filed by him from the floor, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment **S-3102** 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?" (**S.F. 400**), the vote was:

Yeas, 48:

Anderson	Dandekar	Hancock	Ragan
Bacon	Danielson	Hatch	Rielly
Bartz	Dix	Hogg	Schoenjahn
Beall	Dotzler	Horn	Seng
Behn	Dvorsky	Jochum	Seymour
Bertrand	Ernst	Johnson	Smith
Black	Feenstra	Kapucian	Sodders
Boettger	Fraise	Kettering	Sorenson
Bolkcom	Greiner	Kibbie	Ward
Bowman	Gronstal	McCoy	Whitver
Chelgren	Hahn	McKinley	Wilhelm
Courtney	Hamerlinck	Quirmbach	Zaun

Nays, none.

Absent, 2:

Dearden Houser

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 295, 365, 400, and 430** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 14, 2011, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 401](#), a bill for an act excepting certain employee injuries which occur on an employer's premises from compensability under the state's workers' compensation laws.

Read first time and **passed on file**.

[House File 461](#), a bill for an act relating to the attachment of tags to deer carcasses.

Read first time and **passed on file**.

[House File 484](#), a bill for an act concerning investment of certain public funds in companies doing business in Iran by the treasurer of state, public retirement systems in Iowa, and the state board of regents.

Read first time and **passed on file**.

[House File 490](#), a bill for an act creating a certificate of merit affidavit in a medical malpractice action.

Read first time and **passed on file**.

[House File 493](#), a bill for an act requiring faculty members of regents institutions and community colleges and teachers employed by school districts charged with a crime to repay all salary received during a paid leave of absence if convicted.

Read first time and **passed on file**.

[House File 499](#), a bill for an act relating to a voter's designee for purposes of returning absentee ballots.

Read first time and **passed on file**.

[House File 512](#), a bill for an act providing an exemption from standards and requirements otherwise applicable to the investment of public funds by specified state departments, agencies, and political subdivisions.

Read first time and **passed on file**.

[House File 532](#), a bill for an act relating to agriculture, by eliminating certain powers of and requirements administered by the department of agriculture and land stewardship.

Read first time and **passed on file**.

[House File 536](#), a bill for an act concerning the duties and responsibilities of the auditor of state.

Read first time and **passed on file**.

[House File 565](#), a bill for relating to business entities by providing for service of process for foreign corporations and the naming of professional limited liability companies, and including effective and applicability date provisions.

Read first time and **passed on file**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 6:37 p.m. until 9:00 a.m., Tuesday, March 15, 2011.

APPENDIX

COMMUNICATION RECEIVED

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

DEPARTMENT OF HUMAN SERVICES

Annual Report of the Healthy and Well Kids in Iowa (hawk-i) Board, pursuant to Iowa Code section 514I.5(7g). Report received on March 10, 2011.

CERTIFICATES OF RECOGNITION

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

Bruno Behrends, Atlantic—For celebrating his 100th birthday. Senator Boettger (3/14/11).

Curt Bladt, Harlan—For being inducted into the NFHS Hall of Fame. Senator Boettger (3/14/11).

Barb and Bernard Christensen, Audubon—For celebrating their 50th wedding anniversary. Senator Boettger (3/14/11).

Lucille Cobet, Tama—For celebrating her 90th birthday. Senator Kapucian (3/14/11).

Stanley Ledvina, Elberon—For celebrating his 80th birthday. Senator Kapucian (3/14/11).

Michael Fakler, Emmetsburg—For serving on the Eagle Scout Court of Honor at Holy Family Parish. Senator Kibbie (3/14/11).

Hazel McClintock, Shellsburg—For celebrating her 100th birthday. Senator Kapucian (3/14/11).

REPORT OF COMMITTEE MEETING

WAYS AND MEANS

Convened: Monday, March 14, 2011, 2:25 p.m.

Members Present: Bolkom, Chair; Seng, Vice Chair; Zaun, Ranking Member; Anderson, Bartz, Black, Chelgren, Dandekar, Feenstra, Hogg, Jochum, McCoy, Quirmbach, and Smith.

Members Absent: Dotzler (excused).

Committee Business: Passed [SF 248](#), as amended, and [SF 192](#). Approved governor's appointee.

Recessed: 2:30 p.m.

Reconvened: 2:40 p.m.

Adjourned: 2:50 p.m.

STUDY BILLS RECEIVED

[SSB 1193](#) **Appropriations**

Relating to and making appropriations to the justice system and including effective date provisions.

[SSB 1194](#) **Appropriations**

Relating to and making appropriations to the judicial branch.

SUBCOMMITTEE ASSIGNMENTS

[Senate File 395](#)

WAYS AND MEANS: Quirnbach, Chair; Anderson and Jochum

[Senate File 458](#)

WAYS AND MEANS: Dotzler, Chair; Black, Chelgren, McCoy, and Smith

[House File 186](#)

JUDICIARY: Hancock, Chair; Fraise and Sorenson

[House File 195](#)

VETERANS AFFAIRS: Kibbie, Chair; Ragan and Seymour

[House File 242](#)

JUDICIARY: Fraise, Chair; Dix and Dvorsky

[House File 321](#)

JUDICIARY: Quirnbach, Chair; Horn and Whitver

[House File 328](#)

COMMERCE: Kettering, Chair; Dandekar and Seng

[House File 363](#)

VETERANS AFFAIRS: Kibbie, Chair; Beall and Seymour

[House File 406](#)

TRANSPORTATION: Rielly, Chair; Danielson and Ernst

[House File 465](#)

TRANSPORTATION: Kapucian, Chair; Houser and Rielly

[House File 474](#)

VETERANS AFFAIRS: Kibbie, Chair; Black and Seymour

[House File 525](#)

LABOR AND BUSINESS RELATIONS: Horn, Chair; Dearden and Ward

[SSB 1193](#)

APPROPRIATIONS: Hancock, Chair; Dvorsky and Seymour

[SSB 1194](#)

APPROPRIATIONS: Hogg, Chair; Hancock and Seymour

FINAL COMMITTEE REPORT OF BILL ACTION

WAYS AND MEANS

Bill Title: *[SENATE FILE 192](#) ([SSB 1079](#)), a bill for an act relating to snowmobile registration and permit fees.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Bolcom, Seng, Anderson, Bartz, Black, Dandekar, Feenstra, Hogg, Jochum, McCoy, and Quirnbach. Nays, 3: Zaun, Chelgren, and Smith. Absent, 1: Dotzler.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on [Senate File 192](#), and they were attached to the committee report.

GOVERNOR'S APPOINTEE PLACED ON
EN BLOC CALENDAR

The following appointee, assigned to standing committee for investigation, was placed on the En Bloc Calendar with recommendation for confirmation:

WAYS AND MEANS

Jeffrey Elgin – State Board of Tax Review

WITHDRAWAL AND DEFERRAL OF
GOVERNOR'S APPOINTEES

The following letters from the Governor were received in the office of the Secretary of the Senate on March 14, 2011:

I am withdrawing the name of Eugene Ver Steeg to serve as an Environmental Protection Commission member from further consideration by the Senate.

Pursuant to Iowa Code section 455A.6, please accept this letter as the notice of deferment of the appointment to the Environmental Protection Commission, formerly held by Eugene Ver Steeg. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

I am withdrawing the name of Jennifer Neeley to serve as a Board of Nursing member from further consideration by the Senate.

Pursuant to Iowa Code section 147.14(1)(c), please accept this letter as the notice of deferment of the appointment to the Board of Nursing, formerly held by Lynn Pothast. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Sincerely,
TERRY E. BRANSTAD
Governor

AMENDMENTS FILED

S-3093	S.F. 444	Herman C. Quirnbach
S-3094	S.F. 364	Steven J. Soddors
S-3095	S.F. 365	Pam Jochum
S-3096	S.F. 240	Brian Schoenjahn
S-3097	S.F. 424	Brian Schoenjahn
S-3098	S.F. 328	Brian Schoenjahn

<u>S-3099</u>	<u>S.F. 295</u>	David Johnson
<u>S-3100</u>	<u>S.F. 490</u>	Jeff Danielson
<u>S-3101</u>	<u>S.F. 430</u>	Pam Jochum
		Jeff Danielson
		David Johnson
		Kent Sorenson
		Daryl Beall
<u>S-3102</u>	<u>S.F. 400</u>	Robert M. Hogg
<u>S-3103</u>	<u>S.F. 430</u>	Mark Chelgren
<u>S-3104</u>	<u>S.F. 301</u>	Appropriations