

PROOF

STATE OF IOWA

Senate Journal

MONDAY, APRIL 21, 2008

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JOURNAL OF THE SENATE

NINETY-NINTH CALENDAR DAY
FIFTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 21, 2008

The Senate met in regular session at 11:10 a.m., President Kibbie presiding.

Prayer was offered by Pastor Gus George of the St. Paul Lutheran Church in Council Bluffs, Iowa. He was the guest of Senator Houser.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Emily Ehlers.

The Journal of Thursday, April 17, 2008, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 17, 2008, **passed** the following bill in which the concurrence of the House was asked:

Senate File 2405, a bill for an act relating to renewable energy, providing for state bank acquisition of equity interests in wind energy production facilities, providing for qualification for specified tax credits and refunds by state banks and by owners or manufacturing facilities generating wind energy for on-site consumption rather than sale, providing for the establishment or participation in a program to track, record, or verify the trading of credits for electricity generated from specified sources, and providing effective and retroactive applicability dates.

ALSO: That the House has on April 17, 2008, **concurred in the Senate amendment and passed** the following bills in which the concurrence of the House was asked:

[House File 2266](#), a bill for an act relating to the criminal offenses of eluding or attempting to elude a law enforcement vehicle and the possession of an incendiary or explosive device or material, and the regulation of explosives, and providing penalties.

[House File 2612](#), a bill for an act relating to natural resources, including by providing for the powers and duties of the department's director and natural resource commission, and the regulation of public lands and outdoor recreation, providing for fees, providing for penalties and making penalties applicable.

[House File 2633](#), a bill for an act relating to business associations, by providing for limited liability companies and conversion involving corporations, providing fees and penalties, and providing an effective date.

ALSO: That the House has on April 17, 2008, **adopted the conference committee report and passed [Senate File 2308](#)**, a bill for an act relating to identity theft by providing for the notification of a breach in the security of computerized data that included personal information, and providing penalties.

ALSO: That the House has on April 17, 2008, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 2687](#), a bill for an act relating to certain economic development programs by providing tax credits for the redevelopment of underutilized properties, and including effective date and retroactive applicability date provisions.

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

[House File 2688](#), a bill for an act providing for efforts to mitigate odor emitted from a livestock operation including by providing for basic and applied research and evaluations, providing for implementation, and including applicability and effective date provisions.

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

ALSO: That the House has on April 17, 2008, **amended and passed** the following bills in which the concurrence of the Senate is asked:

[Senate File 517](#), a bill for an act relating to the state building code by providing for training, administration, and enforcement of energy conservation requirements. ([S-5389](#))

[Senate File 2386](#), a bill for an act relating to the achievement of improved energy efficiency through the establishment of a commission on energy efficiency standards and practices, and providing for the periodic reporting of energy efficiency results and savings by gas and electric public utilities. ([S-5385](#))

ALSO: That the House has on April 17, 2008, **appointed the conference committee to [House File 2197](#)**, a bill for an act requiring institutions of higher learning and community colleges to provide students with specific textbook information. The conference committee members on the part of the House are: The Representative from Black Hawk, Representative Kelley, Chair; the Representative from Polk, Representative Boal; the Representative from Scott, Representative Gayman; the Representative from Cerro Gordo, Representative Schickel; and the Representative from Woodbury, Representative Wendt.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Houser, until he arrives, on request of Senator Wieck.

RECESS

On motion of Senator Gronstal, the Senate recessed at 11:36 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 11:39 a.m., President Kibbie presiding.

The Senate stood at ease at 11:40 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 1:56 p.m., President Pro Tempore Danielson presiding.

INTRODUCTION OF RESOLUTIONS

[Senate Resolution 155](#), by committee on Rules and Administration, a resolution to recognize the 30-year legislative career of Senator Michael Connolly.

Read first time and **placed on calendar**.

[Senate Resolution 156](#), by committee on Rules and Administration, a resolution to thank Senator John Putney for his service in the Iowa Senate.

Read first time and **placed on calendar**.

[Senate Resolution 157](#), by committee on Rules and Administration, a resolution to honor Senator Larry McKibben on his retirement from the Iowa Senate.

Read first time and **placed on calendar**.

[Senate Resolution 158](#), by committee on Rules and Administration, a resolution to commemorate the retirement of Senator E. Thurman Gaskill from the Senate.

Read first time and **placed on calendar**.

[Senate Resolution 159](#), by committee on Rules and Administration, a resolution honoring Senator Jeff Angelo for his years of service in the Senate.

Read first time and **placed on calendar**.

[Senate Resolution 160](#), by committee on Rules and Administration, a resolution honoring the public service of Senator Mary Adelaide Lundby.

Read first time and **placed on calendar**.

[Senate Resolution 161](#), by committee on Rules and Administration, a resolution to honor the service of Senator Dave Mulder.

Read first time and **placed on calendar**.

RECESS

On motion of Senator Courtney, the Senate recessed at 1:58 p.m. until the completion of a meeting of the committee on State Government.

APPENDIX—1

REPORTS OF COMMITTEE MEETINGS

RULES AND ADMINISTRATION

Convened: April 21, 2008, 11:36 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Wieck, Ranking Member; Angelo, Dearden, Dvorsky, Lundby, Ragan, and Zieman.

Members Absent: Courtney and Danielson (both excused).

Committee Business: Approved SRs 155, 156, 157, 158, 159, 160, and 161.

Adjourned: 11:39 a.m.

STATE GOVERNMENT

Convened: April 21, 2008, 2:05 a.m.

Members Present: Connolly, Chair; Horn, Vice Chair; Zieman, Ranking Member; Appel, Behn, Black, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood.

Members Absent: None.

Committee Business: Passed [SF 2427](#).

Adjourned: 2:10 p.m.

INTRODUCTION OF BILLS

[Senate File 2426](#), by committee on Appropriations, a bill for an act relating to the judicial branch including the assessment and collection of fees and fines, filings and records kept by the clerk of the district court, the regulation and certification of shorthand reporters, making appropriations to offset costs, and providing an effective date.

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

[Senate File 2427](#), by Gronstal and Wieck, a bill for an act prohibiting certain lobbying activities of state agencies and providing a penalty.

Read first time under Rule 28 and referred to committee on **State Government**.

[Senate File 2428](#), by committee on Appropriations, a bill for an act relating to the collection of delinquent debt owed the state and political subdivisions of the state by requiring offsets of gambling winnings, sanctioning of professional licenses, modifying provisions related to county attorney collections, writing off certain delinquent court debt, modifying provisions relating to the deposit of certain funds in the jury and witness fee fund, and making penalties applicable.

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

SUBCOMMITTEE ASSIGNMENT

[House File 2687](#)

WAYS AND MEANS: McCoy, Chair; Seng and Ward

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: [SENATE FILE 2426*](#) (formerly [SF 2331](#)), a bill for an act relating to the judicial branch including the assessment and collection of fees and fines, filings and records kept by the clerk of the district court, the regulation and certification of shorthand reporters, making appropriations to offset costs, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 22: Dvorsky, McCoy, Kettering, Behn, Black, Bolcom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hatch, Hogg, Johnson, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood. Nays, 2: Boettger and Hancock. Absent, 1: Angelo.

Fiscal Note: NOT REQUIRED UNDER RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Appropriations Committee on [Senate File 2426](#), and they were attached to the committee report.

ALSO:

Bill Title: [SENATE FILE 2428*](#) ([SSB 3279](#)), a bill for an act relating to the collection of delinquent debt owed the state and political subdivisions of the state by requiring offsets of gambling winnings, sanctioning of professional licenses, modifying provisions related to county attorney collections, writing off certain delinquent court debt, modifying provisions relating to the deposit of certain funds in the jury and witness fee fund, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 24: Dvorsky, McCoy, Kettering, Behn, Black, Boettger, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood. Nays, none. Absent, 1: Angelo.

Fiscal Note: NOT REQUIRED UNDER RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Appropriations Committee on [Senate File 2428](#), and they were attached to the committee report.

RULES AND ADMINISTRATION

Bill Title: [SENATE RESOLUTION 155](#), a resolution to recognize the 30-year legislative career of Senator Michael Connolly.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Gronstal, Kibbie, Wieck, Angelo, Dearden, Dvorsky, Lundby, Ragan, and Ziemann. Nays, none. Absent, 2: Courtney and Danielson.

Fiscal Note: NOT REQUIRED UNDER RULE 17.

ALSO:

Bill Title: [SENATE RESOLUTION 156](#), a resolution to thank Senator John Putney for his service in the Iowa Senate.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Gronstal, Kibbie, Wieck, Angelo, Dearden, Dvorsky, Lundby, Ragan, and Ziemann. Nays, none. Absent, 2: Courtney and Danielson.

Fiscal Note: NOT REQUIRED UNDER RULE 17.

ALSO:

Bill Title: [SENATE RESOLUTION 157](#), a resolution to honor Senator Larry McKibben on his retirement from the Iowa Senate.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Gronstal, Kibbie, Wieck, Angelo, Dearden, Dvorsky, Lundby, Ragan, and Ziemann. Nays, none. Absent, 2: Courtney and Danielson.

Fiscal Note: NOT REQUIRED UNDER RULE 17.

ALSO:

Bill Title: [SENATE RESOLUTION 158](#), a resolution to commemorate the retirement of Senator E. Thurman Gaskill from the Senate.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Gronstal, Kibbie, Wieck, Angelo, Dearden, Dvorsky, Lundby, Ragan, and Ziemann. Nays, none. Absent, 2: Courtney and Danielson.

Fiscal Note: NOT REQUIRED UNDER RULE 17.

ALSO:

Bill Title: [SENATE RESOLUTION 159](#), a resolution honoring Senator Jeff Angelo for his years of service in the Senate.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Gronstal, Kibbie, Wieck, Angelo, Dearden, Dvorsky, Lundby, Ragan, and Ziemann. Nays, none. Absent, 2: Courtney and Danielson.

Fiscal Note: NOT REQUIRED UNDER RULE 17.

ALSO:

Bill Title: [SENATE RESOLUTION 160](#), a resolution honoring the public service of Senator Mary Adelaide Lundby.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Gronstal, Kibbie, Wieck, Angelo, Dearden, Dvorsky, Lundby, Ragan, and Ziemann. Nays, none. Absent, 2: Courtney and Danielson.

Fiscal Note: NOT REQUIRED UNDER RULE 17.

ALSO:

Bill Title: [SENATE RESOLUTION 161](#), a resolution to honor the service of Senator Dave Mulder.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Gronstal, Kibbie, Wieck, Angelo, Dearden, Dvorsky, Lundby, Ragan, and Ziemann. Nays, none. Absent, 2: Courtney and Danielson.

Fiscal Note: NOT REQUIRED UNDER RULE 17.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 18, 2008, the Governor approved and transmitted to the Secretary of State the following bills:

[Senate File 2307](#) – Establishing committees to formulate plans for a state research and development prekindergarten through grade twelve school and providing an effective date.

[Senate File 2133](#) – Relating to the Iowa crop improvement association.

[Senate File 2136](#) – Relating to real estate broker trust accounts and abolishing the local housing assistance program.

[Senate File 2212](#) – Relating to determinations in child in need of assistance proceedings, and modifying circumstances for termination of parental rights.

[Senate File 2250](#) – Relating to the licensure of real estate brokers and salespersons.

[Senate File 2251](#) – Relating to student eye care and including an applicability date provision.

[Senate File 2325](#) – Relating to the grow Iowa values fund by allocating moneys for the physical infrastructure assistance program and changing certain job and wage requirements, and providing an effective date.

[Senate File 2349](#) – Relating to the preneed sale of cemetery and funeral merchandise and funeral services.

[Senate File 2361](#) – Providing for the procurement of designated biobased products by state government.

[Senate File 2367](#) – Relating to the compliance advisory panel, including the appointment of its members and its powers and duties.

[Senate File 2379](#) – Relating to the regulation of the practice of certified public accounting and providing an effective date.

RECONVENED

The Senate reconvened at 2:11 p.m., President Pro Tempore Danielson presiding.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

[Senate Resolution 160](#)

Senator Angelo asked and received unanimous consent to take up the following resolution:

1 [SENATE RESOLUTION 160](#)
2 By: Committee on Rules and Administration
3 A resolution honoring the public service of Senator
4 Mary Adelaide Lundby.
5 WHEREAS, Senator Lundby this year closes a 22-year
6 legislative career that began in 1986 with her
7 election to the House of Representatives; and
8 WHEREAS, while a member of the House of
9 Representatives, Senator Lundby served as Speaker Pro
10 Tempore from 1993 through 1994; and
11 WHEREAS, in 1994 Senator Lundby was elected to the
12 Iowa Senate; and
13 WHEREAS, in 14 years in the Senate, Senator Lundby
14 has chaired or co-chaired the Committee on Small
15 Business, Economic Development and Tourism, the
16 Committee on Government Oversight, the Oversight and
17 Communications Appropriations Subcommittee and the
18 Administration and Regulation Appropriations
19 Subcommittee, and has served as vice-chairperson or as
20 a member on a variety of committees; and
21 WHEREAS, in 2006 Senator Lundby was elected the
22 Senate Republican leader; and
23 WHEREAS, Senator Lundby holds the distinction of
24 being the first woman elected Speaker Pro Tempore in
25 the House of Representatives and the first woman
26 chosen Co-Majority Leader of the Senate; and
27 WHEREAS, Senator Lundby has been awarded the Friend
28 of Nursing Award in 1997 by the Iowa Nurses
29 Association, and the Public Service Award in 2002 by
30 the Sierra Club of Iowa; and

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1 WHEREAS, "retiring" is hardly the word to apply to
2 Senator Lundby, a Senator who is outspoken,
3 good-natured, and kind-hearted in equal part; NOW
4 THEREFORE,
5 BE IT RESOLVED BY THE SENATE, That the Senate
6 recognizes Senator Mary Adelaide Lundby for 22 years
7 of legislative service, and honors her dedication to
8 good government and to the betterment of Iowa; and
9 BE IT FURTHER RESOLVED, That the Secretary of the
10 Senate is directed to prepare an official copy of this
11 resolution for presentation to Senator Lundby.

Senator Lundby addressed the Senate with brief remarks.

The Senate rose and expressed its tribute to Senator Lundby.

Senator Angelo moved the adoption of [Senate Resolution 160](#), which motion prevailed by a voice vote.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

[Senate Resolution 157](#)

Senator Putney asked and received unanimous consent to take up the following resolution:

1 [SENATE RESOLUTION 157](#)
2 By: Committee on Rules and Administration
3 A resolution to honor Senator Larry McKibben on his
4 retirement from the Iowa Senate.
5 WHEREAS, Senator Larry McKibben was elected to the
6 Senate in 1996, and in his first year served as
7 Vice-Chairperson of both the Committee on Ways and
8 Means and the Education Appropriations Subcommittee
9 and as a member of the Committees on Judiciary,
10 Natural Resources and Environment, State Government,
11 and Transportation; and
12 WHEREAS, in three terms in the Senate, Senator
13 McKibben served as Co-President Pro Tempore and as an
14 assistant Republican leader; and
15 WHEREAS, in addition to his leadership role,
16 Senator McKibben also chaired the Committees on
17 Business and Labor Relations and Ways and Means, and
18 the Transportation, Infrastructure and Capitals
19 Appropriations Subcommittee; co-chaired the Committee
20 on State Government and the Justice Systems

21 Appropriations Subcommittee and served as a member of
22 the Committees on Appropriations, Commerce, Ethics,
23 Judiciary, Local Government, and Veterans Affairs, and
24 the Health and Human Rights Appropriations
25 Subcommittee; and
26 WHEREAS, highlights of Senator McKibben's career in
27 the Senate were the legislative creation of the
28 accelerated career education program in 2000, a
29 program that partners local industry and community
30 colleges to provide skilled worker training, and his

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1 instrumental role in eliminating the state's
2 inheritance tax; NOW THEREFORE,
3 BE IT RESOLVED BY THE SENATE, That the Senate
4 thanks Senator Larry McKibben for his 12 years of
5 service in the Senate, and wishes him the best of luck
6 in the years to come; and
7 BE IT FURTHER RESOLVED, That the Secretary of the
8 Senate is directed to prepare an official copy of this
9 resolution for presentation to Senator McKibben.

Senator McKibben addressed the Senate with brief remarks.

The Senate rose and expressed its tribute to Senator McKibben.

Senator Putney moved the adoption of [Senate Resolution 157](#),
which motion prevailed by a voice vote.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

[Senate Resolution 161](#)

Senator Zaun asked and received unanimous consent to take up
the following resolution:

1 [SENATE RESOLUTION 161](#)
2 By: Committee on Rules and Administration
3 A resolution to honor the service of Senator Dave
4 Mulder.
5 WHEREAS, Senator Dave Mulder came to the Iowa
6 Senate as an educator, teaching and coaching for over
7 40 years first in Sioux Center community schools,
8 where he was named high school coach of the year, and
9 then as a professor and coach at Northwestern College,
10 where he was twice selected as professor of the year,
11 and was honored as the college's coach of the year

12 three times; and

13 WHEREAS, Senator Mulder began his service in the
14 81st General Assembly, and in four years has served as
15 a member of the Committees on Agriculture, Economic
16 Growth, Education, Ethics, Human Resources, Local
17 Government, and Rules and Administration, and the
18 Administration and Regulation Appropriations
19 Subcommittee; and

20 WHEREAS, during his tenure in the Senate, Senator
21 Mulder has been especially involved in school funding
22 issues; and

23 WHEREAS, Senator Mulder has been active in the
24 community as well as in the Senate, serving as
25 president of the Orange City Lions Club, and as
26 president of Morningside College Alumni Board, being
27 inducted into the Morningside Hall of Fame, and
28 serving on the Board of Directors of the Iowa State
29 High School Athletic Director Association and as a
30 member of numerous other civic organizations; NOW

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1 THEREFORE,

2 BE IT RESOLVED BY THE SENATE, That the Senate
3 thanks Senator Dave Mulder for his Senate service, and
4 wishes him the best of luck in the years to come; and

5 BE IT FURTHER RESOLVED, That the Secretary of the
6 Senate is directed to prepare an official copy of this
7 resolution for presentation to Senator Mulder.

Senator Mulder addressed the Senate with brief remarks.

The Senate rose and expressed its tribute to Senator Mulder.

Senator Zaun moved the adoption of [Senate Resolution 161](#), which motion prevailed by a voice vote.

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2414](#).

[Senate File 2414](#)

On motion of Senator Kibbie, [Senate File 2414](#), a bill for an act prohibiting the use of campaign funds as compensation to a candidate and providing an effective date, was taken up for consideration.

Senator Kibbie 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. 2414](#)), the vote was:

Yeas, 47:

| | | | |
|-----------|-----------|-----------|------------|
| Angelo | Dvorsky | Kibbie | Schmitz |
| Appel | Fraise | Kreiman | Schoenjahn |
| Beall | Gaskill | McCoy | Seng |
| Behn | Gronstal | McKibben | Seymour |
| Black | Hahn | McKinley | Stewart |
| Boettger | Hancock | Mulder | Ward |
| Bolkcom | Hartsuch | Noble | Warnstadt |
| Connolly | Heckroth | Olive | Wieck |
| Courtney | Hogg | Putney | Wood |
| Danielson | Horn | Quirnbach | Zaun |
| Dearden | Johnson | Ragan | Zieman |
| Dotzler | Kettering | Rielly | |

Nays, 2:

| | |
|-------|--------|
| Hatch | Lundby |
|-------|--------|

Absent, 1:

Houser

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

UNFINISHED BUSINESS
(Deferred April 17, 2008)

[Senate File 2421](#)

The Senate resumed consideration of [Senate File 2421](#), a bill for an act authorizing certain special charter cities to impose a special charter city sales and services tax, deferred April 17, 2008.

Senator Dearden offered amendment [S-5386](#), filed by him from the floor to page 4 of the bill, and moved its adoption.

Amendment [S-5386](#) was adopted by a voice vote.

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. 2421](#)), the vote was:

Yeas, 29:

| | | | |
|-----------|----------|-----------|------------|
| Beall | Gronstal | Lundby | Schoenjahn |
| Black | Hancock | McCoy | Seng |
| Connolly | Hatch | Mulder | Stewart |
| Courtney | Heckroth | Olive | Warnstadt |
| Danielson | Hogg | Quirnbach | Wood |
| Dotzler | Horn | Ragan | |
| Dvorsky | Kibbie | Rielly | |
| Fraise | Kreiman | Schmitz | |

Nays, 20:

| | | | |
|----------|----------|-----------|---------|
| Angelo | Dearden | Kettering | Seymour |
| Appel | Gaskill | McKibben | Ward |
| Behn | Hahn | McKinley | Wieck |
| Boettger | Hartsuch | Noble | Zaun |
| Bolkcom | Johnson | Putney | Zieman |

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 2414** and **2421** be **immediately messaged** to the House.

MOTIONS TO RECONSIDER ADOPTED

[Senate File 2134](#)

Senator Gronstal called up the motion to reconsider [Senate File 2134](#), filed by him on April 17, 2008, found on page 1144 of the Senate Journal, and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" ([S.F. 2134](#)), the vote was:

Yeas, 49:

| | | | |
|-----------|-----------|-----------|------------|
| Angelo | Fraise | Kreiman | Schoenjahn |
| Appel | Gaskill | Lundby | Seng |
| Beall | Gronstal | McCoy | Seymour |
| Behn | Hahn | McKibben | Stewart |
| Black | Hancock | McKinley | Ward |
| Boettger | Hartsuch | Mulder | Warnstadt |
| Bolkcom | Hatch | Noble | Wieck |
| Connolly | Heckroth | Olive | Wood |
| Courtney | Hogg | Putney | Zaun |
| Danielson | Horn | Quirnbach | Zieman |
| Dearden | Johnson | Ragan | |
| Dotzler | Kettering | Rielly | |
| Dvorsky | Kibbie | Schmitz | |

Nays, none.

Absent, 1:

Houser

The motion prevailed, and the motion to reconsider was adopted.

Senator Gronstal called up the motion to reconsider the vote by which **amendment [S-5329](#) to [Senate File 2134](#)** was adopted by the Senate on April 17, 2008, found on page 1144 of the Senate Journal, and moved its adoption.

The motion prevailed by a voice vote and amendment [S-5329](#) was taken up for reconsideration.

Senator Warnstadt asked and received unanimous consent to withdraw amendment [S-5329](#).

HOUSE AMENDMENT CONSIDERED

[Senate File 2134](#)

Senator Warnstadt called up for consideration [Senate File 2134](#), a bill for an act relating to requirements and duties of members, executive directors, and employees of county commissions of veteran

affairs, amended by the House in House amendment [S-5384](#), filed April 17, 2008.

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

On the question "Shall the bill pass?" ([S.F. 2134](#)), the vote was:

Yeas, 49:

| | | | |
|-----------|-----------|-----------|------------|
| Angelo | Fraise | Kreiman | Schoenjahn |
| Appel | Gaskill | Lundby | Seng |
| Beall | Gronstal | McCoy | Seymour |
| Behn | Hahn | McKibben | Stewart |
| Black | Hancock | McKinley | Ward |
| Boettger | Hartsuch | Mulder | Warnstadt |
| Bolkcom | Hatch | Noble | Wieck |
| Connolly | Heckroth | Olive | Wood |
| Courtney | Hogg | Putney | Zaun |
| Danielson | Horn | Quirnbach | Zieman |
| Dearden | Johnson | Ragan | |
| Dotzler | Kettering | Rielly | |
| Dvorsky | Kibbie | Schmitz | |

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.

HOUSE AMENDMENT TO
SENATE AMENDMENT CONSIDERED

[House File 2628](#)

Senator Kreiman called up for consideration [House File 2628](#), a bill for an act including a portable device or weapon directing an electric current, impulse, wave, or beam that produces a high-voltage pulse designed to immobilize a person in the definition of a dangerous weapon and making penalties applicable, amended by the Senate and further amended by the House in House amendment [S-5366](#) to Senate amendment [H-8403](#), filed April 17, 2008.

Senator Kreiman moved that the Senate concur in the House amendment to the Senate amendment.

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

Senator Kreiman moved that the bill, as amended by the Senate, further 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 voice vote and the bill was read the last time.

On the question "Shall the bill pass?" ([H.F. 2628](#)), the vote was:

Yeas, 47:

| | | | |
|-----------|-----------|-----------|------------|
| Angelo | Fraise | Kreiman | Schmitz |
| Appel | Gaskill | Lundby | Schoenjahn |
| Beall | Gronstal | McCoy | Seng |
| Black | Hahn | McKibben | Seymour |
| Boettger | Hancock | McKinley | Stewart |
| Bolkcom | Hartsuch | Mulder | Ward |
| Connolly | Hatch | Noble | Warnstadt |
| Courtney | Heckroth | Olive | Wieck |
| Danielson | Hogg | Putney | Wood |
| Dearden | Horn | Quirnbach | Zaun |
| Dotzler | Kettering | Ragan | Zieman |
| Dvorsky | Kibbie | Rielly | |

Nays, 2:

Behn Johnson

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 Hancock asked and received unanimous consent that [Senate File 2134](#) and [House File 2628](#) be **immediately messaged** to the House.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2422](#).

[Senate File 2422](#)

On motion of Senator Dotzler, [Senate File 2422](#), a bill for an act relating to energy independence initiatives, specifying procedures applicable to Iowa power fund applications, authorizing allocations from the fund, directing that specified payments, repayments, or recaptures made to or received by the board shall be deposited in the fund, authorizing increased allocations for administrative costs, and providing an effective date and applicability provision, was taken up for consideration.

Senator Dotzler offered amendment [S-5388](#), filed by him from the floor to pages 1, 4, and 5 and to the title page of the bill, and moved its adoption.

Amendment [S-5388](#) was adopted by a voice vote.

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?" ([S.F. 2422](#)), the vote was:

Yeas, 35:

| | | | |
|-----------|----------|-----------|------------|
| Angelo | Dotzler | Horn | Rielly |
| Appel | Dvorsky | Kibbie | Schmitz |
| Beall | Fraise | Kreiman | Schoenjahn |
| Black | Gaskill | Lundby | Seng |
| Bolkcom | Gronstal | McCoy | Seymour |
| Cannolly | Hancock | Olive | Stewart |
| Courtney | Hatch | Putney | Warnstadt |
| Danielson | Heckroth | Quirnbach | Wood |
| Dearden | Hogg | Ragan | |

Nays, 14:

| | | | |
|----------|-----------|--------|--------|
| Behn | Johnson | Mulder | Zaun |
| Boettger | Kettering | Noble | Zieman |
| Hahn | McKibben | Ward | |
| Hartsuch | McKinley | Wieck | |

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.

IMMEDIATELY MESSAGED

Senator Courtney asked and received unanimous consent that [Senate File 2422](#) be **immediately messaged** to the House.

The Senate stood at ease at 4:38 p.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 5:17 p.m., President Pro Tempore Danielson presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Angelo, until he returns, on request of Senator Wieck.

HOUSE AMENDMENT CONSIDERED

[Senate File 517](#)

Senator Hogg called up for consideration [Senate File 517](#), a bill for an act relating to the state building code by providing for training, administration, and enforcement of energy conservation requirements, amended by the House in House amendment [S-5389](#), filed April 21, 2008.

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

On the question "Shall the bill pass?" ([S.F. 517](#)), the vote was:

Yeas, 49:

| | | | |
|-----------|-----------|-----------|------------|
| Appel | Gaskill | Kreiman | Schoenjahn |
| Beall | Gronstal | Lundby | Seng |
| Behn | Hahn | McCoy | Seymour |
| Black | Hancock | McKibben | Stewart |
| Boettger | Hartsuch | McKinley | Ward |
| Bolkcom | Hatch | Mulder | Warnstadt |
| Connolly | Heckroth | Noble | Wieck |
| Courtney | Hogg | Olive | Wood |
| Danielson | Horn | Putney | Zaun |
| Dearden | Houser | Quirnbach | Zieman |
| Dotzler | Johnson | Ragan | |
| Dvorsky | Kettering | Rielly | |
| Fraise | Kibbie | Schmitz | |

Nays, none.

Absent, 1:

Angelo

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

HOUSE AMENDMENT CONSIDERED

[Senate File 2386](#)

Senator Hogg called up for consideration [Senate File 2386](#), a bill for an act relating to the achievement of improved energy efficiency through the establishment of a commission on energy efficiency standards and practices, and providing for the periodic reporting of energy efficiency results and savings by gas and electric public utilities, amended by the House in House amendment [S-5385](#), filed April 21, 2008.

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

On the question "Shall the bill pass?" ([S.F. 2386](#)), the vote was:

Yeas, 45:

| | | | |
|-----------|-----------|-----------|-----------|
| Appel | Gaskill | Kreiman | Seng |
| Beall | Gronstal | McCoy | Seymour |
| Behn | Hahn | McKibben | Stewart |
| Black | Hartsuch | McKinley | Ward |
| Boettger | Hatch | Mulder | Warnstadt |
| Bolkcom | Heckroth | Noble | Wieck |
| Courtney | Hogg | Olive | Wood |
| Danielson | Horn | Putney | Zaun |
| Dearden | Houser | Quirnbach | Zieman |
| Dotzler | Johnson | Ragan | |
| Dvorsky | Kettering | Rielly | |
| Fraise | Kibbie | Schmitz | |

Nays, 4:

Connolly Hancock Lundby Schoenjahn

Absent, 1:

Angelo

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

FINAL COMMITTEE REPORT OF BILL ACTION

STATE GOVERNMENT

Bill Title: [SENATE FILE 2427](#), a bill for an act prohibiting certain lobbying activities of state agencies and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Connolly, Horn, Zieman, Appel, Behn, Black, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2427](#).

[Senate File 2427](#)

On motion of Senator Connolly, [Senate File 2427](#), a bill for an act prohibiting certain lobbying activities of state agencies and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Connolly 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. 2427](#)), the vote was:

Yeas, 46:

| | | | |
|-----------|-----------|-----------|------------|
| Appel | Gaskill | Kibbie | Schmitz |
| Beall | Gronstal | Kreiman | Schoenjahn |
| Black | Hahn | Lundby | Seng |
| Boettger | Hancock | McCoy | Seymour |
| Bolkcom | Hartsuch | McKibben | Stewart |
| Cannolly | Hatch | Mulder | Ward |
| Courtney | Heckroth | Noble | Warnstadt |
| Danielson | Hogg | Olive | Wieck |
| Dearden | Horn | Putney | Wood |
| Dotzler | Houser | Quirnbach | Zieman |
| Dvorsky | Johnson | Ragan | |
| Fraise | Kettering | Rielly | |

Nays, 3:

| | | |
|------|----------|------|
| Behn | McKinley | Zaun |
|------|----------|------|

Absent, 1:

Angelo

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 517, 2386, and 2427** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 5:55 p.m. until 8:45 a.m., Tuesday, April 22, 2008.

APPENDIX—2**CERTIFICATES OF RECOGNITION**

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

Sue Armour, Mason City—For winning the Iowa Tourism Leadership Award. Senator Ragan (4/21/08).

Matt Bohlen, Janesville—For achieving the rank of Eagle Scout, Boy Scout Troop 90. Senator Heckroth (4/21/08).

Avery and Clara Bonstead, Graettinger—For celebrating their 55th wedding anniversary. Senator Kibbie (4/21/08).

Lorna Ann Hagenbucher, Paullina—For celebrating her 100th birthday. Senator Johnson (4/21/08).

Lisa Koll, Fort Dodge—For multiple championships in track, and for graduating summa cum laude in biology from Iowa State University. Senators Quirnbach and Beall (4/21/08).

Elmer and Janice Meyer, Pomeroy—For celebrating their 50th wedding anniversary. Senators Beall and Kibbie (4/21/08).

Sandy and Natalie Salton, Webb—For celebrating their 59th wedding anniversary. Senator Kibbie (4/21/08).

Jason Schmidt, Waverly—For achieving the rank of Eagle Scout, Boy Scout Troop 90. Senator Heckroth (4/21/08).

Ron and Betty Schmidt, Gladbrook—For celebrating their 50th wedding anniversary. Senator Putney (4/21/08).

Mahlon Thomas Whitead, Sioux City—For achieving the rank of Eagle Scout, Boy Scout Troop 111. Senator Warnstadt (4/21/08).

Wayne and Joyce Wagner, Whittemore—For celebrating their 50th wedding anniversary. Senator Kibbie (4/21/08).

STUDY BILL RECEIVED**SSB 3302 Appropriations**

Relating to budget requirements by certain small cities and providing an effective date.

SUBCOMMITTEE ASSIGNMENTS

[House File 2688](#)

AGRICULTURE: Courtney, Chair; Johnson and Kibbie

[SSB 3302](#)

APPROPRIATIONS: Hancock, Chair; Connolly and Kettering

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 21st day of April, 2008:

Senate Files 2246, 2269, 2286, 2340, and 2420.

MICHAEL E. MARSHALL
Secretary of the Senate

AMENDMENTS FILED

| | | |
|------------------------|---------------------------|-------------------|
| S-5385 | S.F. 2386 | House |
| S-5386 | S.F. 2421 | Dick L. Dearden |
| S-5387 | H.F. 2660 | Larry Noble |
| S-5388 | S.F. 2422 | William Dotzler |
| S-5389 | S.F. 517 | House |
| S-5390 | S.F. 2417 | Joe Bolkcom |
| S-5391 | S.F. 2428 | Steve Kettering |
| | | Pat Ward |
| S-5392 | S.F. 2428 | Pat Ward |
| S-5393 | S.F. 2428 | Robert E. Dvorsky |